



A G E N D A
ORMOND BEACH PLANNING BOARD
Regular Meeting

June 14, 2012

7:00 PM

City Commission Chambers
22 South Beach Street
Ormond Beach, FL

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PERSONS WITH A DISABILITY, SUCH AS A VISION, HEARING OR SPEECH IMPAIRMENT, OR PERSONS NEEDING OTHER TYPES OF ASSISTANCE, AND WHO WISH TO ATTEND CITY COMMISSION MEETINGS OR ANY OTHER BOARD OR COMMITTEE MEETING MAY CONTACT THE CITY CLERK IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

I. ROLL CALL

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. NOTICE REGARDING ADJOURNMENT

THE PLANNING BOARD WILL NOT HEAR NEW ITEMS AFTER 10:00 PM UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ITEMS WHICH HAVE NOT BEEN HEARD BEFORE 10:00 PM MAY BE CONTINUED TO THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

V. APPROVAL OF MEETING MINUTES: MAY 10, 2012

VI. PLANNING DIRECTOR'S REPORT

VII. PUBLIC HEARINGS

A. LUPA 12-82: 115 North Nova Road - Small Scale Land Use Map Amendment.

This is an administrative request for approval of a Small Scale Land Use Map amendment for approximately ±0.46 vacant acres owned by Nova/Old Kings Investors, Inc. from "Open Space/Conservation" to "Office/Professional".

VIII. OTHER BUSINESS:

A. Outdoor Activity Discussion Item

B. Site Signage Discussion Item

IX. MEMBER COMMENTS

X. ADJOURNMENT

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: June 7, 2012

SUBJECT: 115 North Nova Road Small Scale Land Use Map
Amendment

APPLICANT: Administrative

NUMBER: LUPA 12-082

PROJECT PLANNER: S. Laureen Kornel, AICP, Senior Planner

INTRODUCTION: This is an administrative request for approval of a Small Scale Land Use Map amendment for ± 0.46 vacant acres owned by Nova/Old Kings Investors, Inc. from "Open Space/Conservation" to "Office/Professional".

BACKGROUND: The ± 0.46 acre parcel is located roughly 1,000 feet from the intersection of West Granada Boulevard and Nova Road, and is currently vacant. The subject property is irregularly shaped with approximately 200 feet of frontage along North Nova Road. The site is wooded with medium to dense underbrush. The current land use "Open Space/Conservation" is not compatible with the current zoning of B-1 (Professional Office-Hospital).

The land use designation issue came about sometime after the owner submitted a site plan to develop the property as a bank under the B-1 zoning classification. In reviewing the land use history of the subject property, the land use and zoning were found incompatible. Staff could not find any reason why the subject property located on a major commercial corridor may have been assigned the open space land use designation. One thought is that there may have been a mapping error at the time the paper maps were converted to electronic maps in 2004. Ultimately, the City was not aware of the assigned land use designation until after the property owner submitted a site plan. The site plan to develop the property with a bank has been approved under the B-1 zoning classification by the City Site Plan Review Committee. The proposed land use amendment will make the land use and zoning compatible consistent with development patterns in the area. The land amendment schedule for this property is as follows:

Action/Board	Date
Planning Board	June 14, 2012
Transmit to Volusia County Growth Management Commission	June 15, 2012
City Commission 1 st Reading	August 21, 2012
City Commission 2 nd Reading	September 4, 2012
Transmit to Department of Community Affairs	September 5, 2012

The purpose of this amendment is to amend the land use designation of the ±0.46 acre “Open Space/Conservation” tract of land to “Office/Professional” to allow the development of the site for the uses allowed in the B-1 zoning district.

The directive text of the City’s Comprehensive Plan states the following for the “Open Space/Conservation” land use category:

“Purpose: This category includes two (2) subcategories: Parks, which includes public areas used for passive recreation, and Conservation which consists of areas within the City that have significant limitations to development, related to elevations, soils, probability of flooding, relationship to a major water body, wetland characteristics, or similar factors. This category of land use is applicable to all zoning districts.

Density: Not permitted.

Maximum FAR: 0.5”

The request is for an amendment to the “Office/Professional” land use category. The directive text of the City’s Comprehensive Plan states the following for “Office/Professional” category:

“A multi-use land use category to provide areas served by transit for use by general office, medical and professional uses and accessory retail sales and personal services. It is expected that at least 30% of the undeveloped office/professional lands in the City will be developed with multi-family residential uses and adult care/retirement facilities. This category may permit as accessory retail sales and personal services as uses in association with office development. For projects that propose a mixture of residential and non-residential uses, the minimum FAR should be 0.2.

Density: Maximum: 15 units per acre.

Maximum FAR: 0.5”

ANALYSIS: Staff has reviewed the application to amend the land use as follows:

1. Whether the land use meets the criteria established in the City's Comprehensive Plan and the Florida Statute.

COMPREHENSIVE PLAN

Amendment of adopted comprehensive plan:

In accordance with Chapter 163.31879(1)(a)(b)(c), Florida Statutes, any local government comprehensive plan amendments directly related to proposed small-scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan. A small-scale development amendment may be adopted only under the following conditions:

1. A small scale development amendment may be adopted under the following conditions.

a. The proposed amendment involves a use of 10 acres or fewer and:

The subject property is approximately ±0.46 acres (less than 10 acres).

b. The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government does not exceed a maximum of 120 acres in a calendar year.

There have been no small scale development amendments during 2012. Therefore, the total cumulative acreage for the year 2012 is none.

c. The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible under this section.

The proposed amendment is solely to the Future Land Use Map and does not propose any text amendments to the City's Comprehensive Plan.

d. The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. [420.0004\(3\)](#), and is located within an area of critical state concern designated by s. [380.0552](#) or by the Administration Commission pursuant to s. [380.05\(1\)](#).

The site location is not located within an area of state critical concern, and this criterion does not apply.

City’s Comprehensive Plan:

Objective 1.2 of the Future Land Use Element of the Comprehensive Plan states that the City needs to ensure that there are adequate amounts of lands to meet the commercial land use needs of the community. The existing development pattern in this area is the “Office/Professional” land use designation.

2. Whether the land use is an appropriate use of the land.

The adjacent land uses and zoning are as follows:

Table 2: Adjacent Land Uses and Zoning

	Current Land Uses	Future Land Use Designation	Zoning
North	Open Space/Conservation (171 N. Old Kings Road)	“Open Space/Conservation”	B-1 (Professional Office/Hospital)
South	Office Professional (Avante at Ormond Beach Skilled Nursing & Rehabilitation)	“Office Professional”	B-1 (Professional Office/Hospital)
East	Office Professional (Medical Building)	“Public Institutional”	B-1 (Professional Office/Hospital)
West	Across Nova Road Commercial (SunTrust Bank)	“General Commercial”	B-8 Commercial

The “Open Space/Conservation” land use designation is typically assigned to lands such as parks used for passive recreation or conservation. In addition, the intent of the “Open Space/Conservation” category is to provide an appropriate designation for lands with significant environmental limitations to develop such as problems associated with elevation, soil, flooding, proximity to riparian areas, and wetlands.

Based on a site plan and site surveys, the subject property does not exhibit environmental limitations of the “Open Space/Conservation” land use designation and is suitable for development. Further, the location of the property on a major commercial arterial corridor makes the subject property well suited for the “Office Professional” land use designation. At present the property directly north is developed as the Hospital Gardens Park that served the Ormond Beach hospital site during the time the Ormond Beach hospital was in operation. The property

directly south of the subject property is used as medical offices and has the "Office Professional" land use designation. Much of the surrounding properties are developed as offices. Given the potential of the site for development and the location of the subject property on a major arterial corridor surrounded by other compatible land uses, the proposed land use amendment is an appropriate use of land.

3. Whether there is adequate infrastructure to serve the proposed land use.

Transportation:

As previously stated, a site plan to develop the subject property as a bank has been approved by the City Site Plan Review Committee. However, for the land use amendment, a traffic analysis was completed using the most intense land use of Medical-Dental Office Building. Based on the ITE rate of category #720 (ITE Trip Generation Manual, Volume 3 of 3, 7th Edition), a medical office would generate approximately 65 daily trips. An Artplan analysis was completed and the existing level of service did not change with the proposed additional trips. The maximum allowable capacity of Nova Road between SR 40 and Wilmette Avenue is 53,500 trips. According to the Volusia County 2010 Average Annual Daily Traffic & Historical Counts, the average annual daily trips are 23,000. Development of this site as a bank as has been approved, will generate fewer trips than development as a medical office. In considering the impacts of the proposed land use amendment, it is not expected that the amendment will have any adverse impacts.

Water and Sewer: The subject property is located in the utility service area of the City of Ormond Beach. The site is currently vacant, and currently has no existing water and sewer service. As part of the development of the site, the property owner sought to connect to water and sewer service. The existing City water system is capable of delivering 12 million gallons per day. The remaining capacity is 6 million gallons per day. The City's rated capacity of the waste water plant is 6 million gallons per day with an annual average daily flow treated of 3.75 million gallons per day. The property owner's site plan shows a building area of 1,800 sq. ft. which would require an estimated 270 gallons of water per day (non residential: 15% x gross square footage) and roughly 230 gallons per day of sewage (non-residential: 85% of estimated gallons of water per day for the site). There is adequate water and sewer capacity to serve this development project and land use amendment.

Stormwater Management: The site is currently vacant. As part of the site plan review to develop the property as a bank, the property owner submitted stormwater calculations which have been reviewed by City staff. Adequate stormwater will be provided.

Solid Waste: This property is served by Waste Management, Inc., and there is adequate capacity to serve the proposed land use.

Other Services: City police and fire protection services serve this area. The parcel is located within an approximate 3-5 minute response time from emergency facilities.

Schools: There are no impacts to schools as the result of this amendment. In a letter dated June 5, 2012, the School Board of Volusia County has indicated they have no objection to the amendment.

RECOMMENDATION: It is expected that the application will be reviewed by the City Commission on August 8, 2012, and September 4, 2012. In staff's review the application:

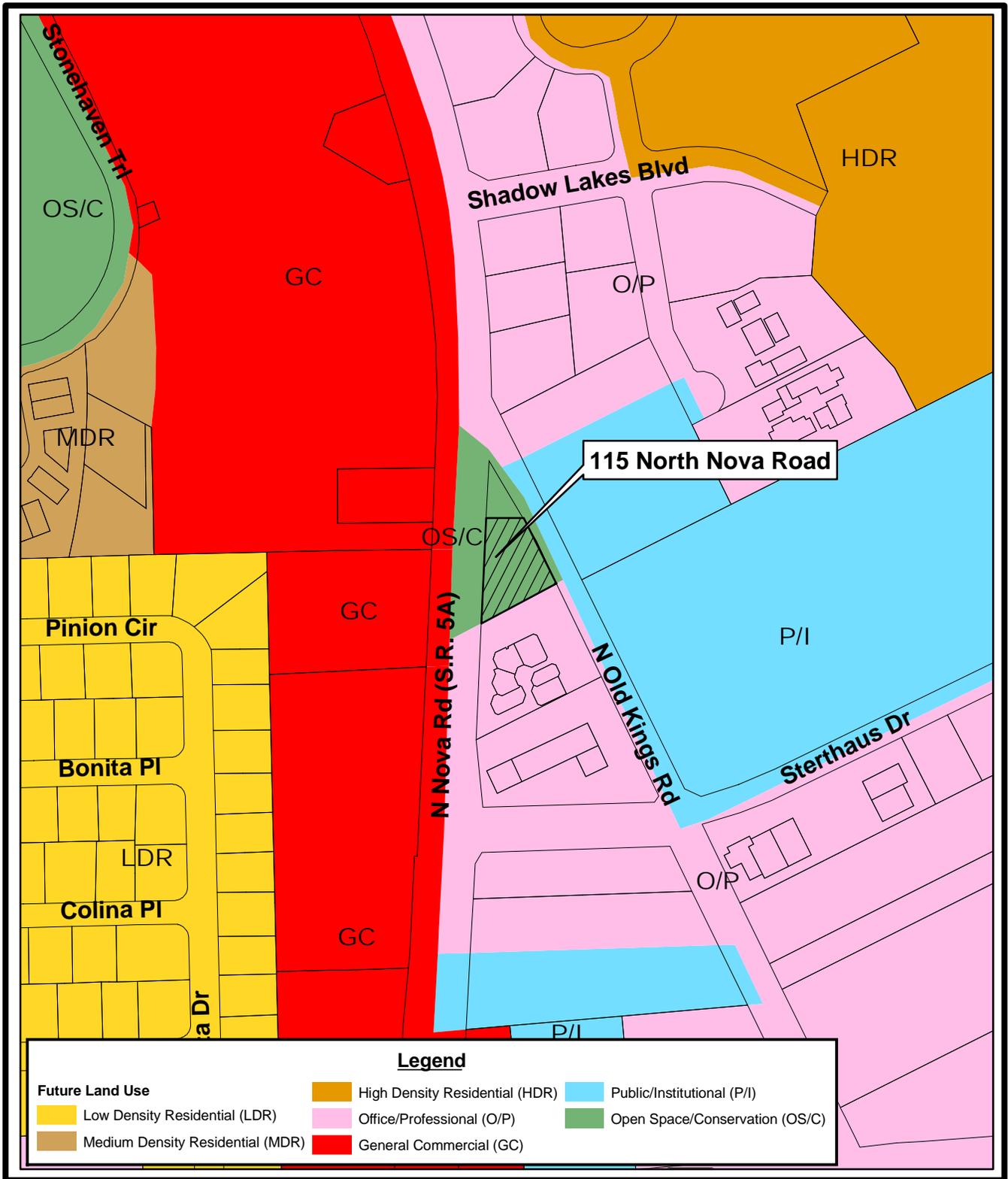
1. Meets the criteria established in the City's Comprehensive Plan.
2. Is an appropriate use of the land.
3. Has adequate infrastructure to serve the proposed land use.

Based on this review, staff recommends that the Planning Board recommend **APPROVAL** of the Future Land Use Map amendment for approximately for ±0.46 acres from "Open Space/Conservation" to "Office/Professional" for 115 North Nova Road.

Attachments: Exhibit 1 – Land Use and Zoning Maps
 Exhibit 2 – Photos, Survey and Location Aerial
 Exhibit 3 – Legal Description
 Exhibit 4 - School Board of Volusia County Letter 06.15.12

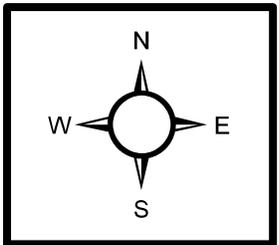
EXHIBIT 1

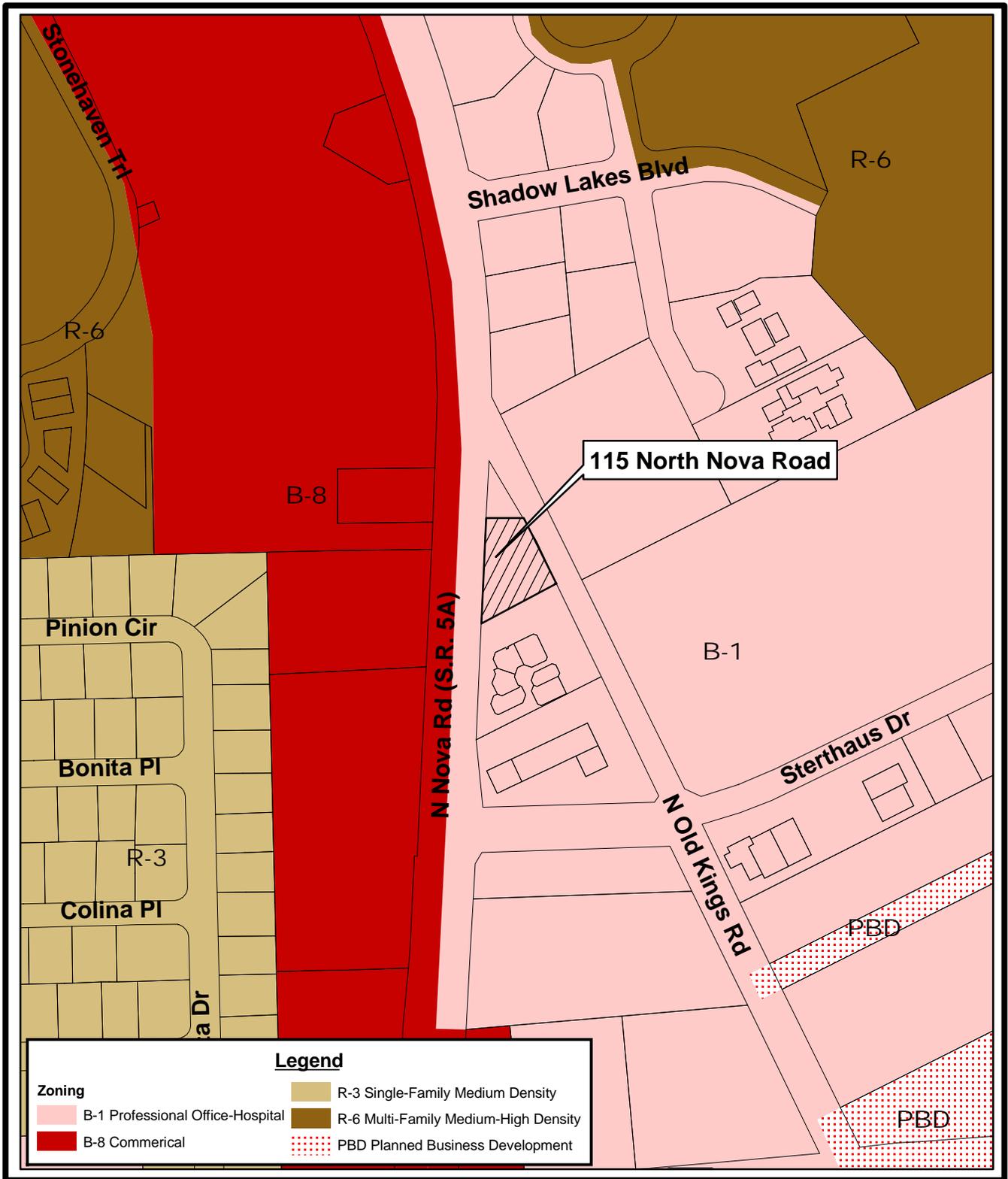
Land Use and
Zoning Maps



LAND USE MAP
115 NORTH NOVA RD (4221-00-01-0013)

The City of Ormond Beach
 G.I.S. Department
 Prepared by: Eric Dickens 06/06/2012





ZONING MAP
115 NORTH NOVA RD (4221-00-01-0013)

The City of Ormond Beach
 G.I.S. Department
 Prepared by: Eric Dickens 06/06/2012

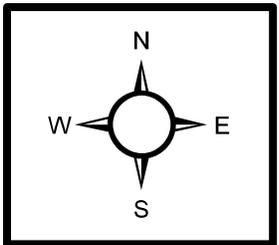


EXHIBIT 2

Photos, Survey and
Location Aerial



115 N. Nova Road facing south



Hospital Gardens Park east of 115 N. Nova Road



Avante east of 115 N. Nova Road



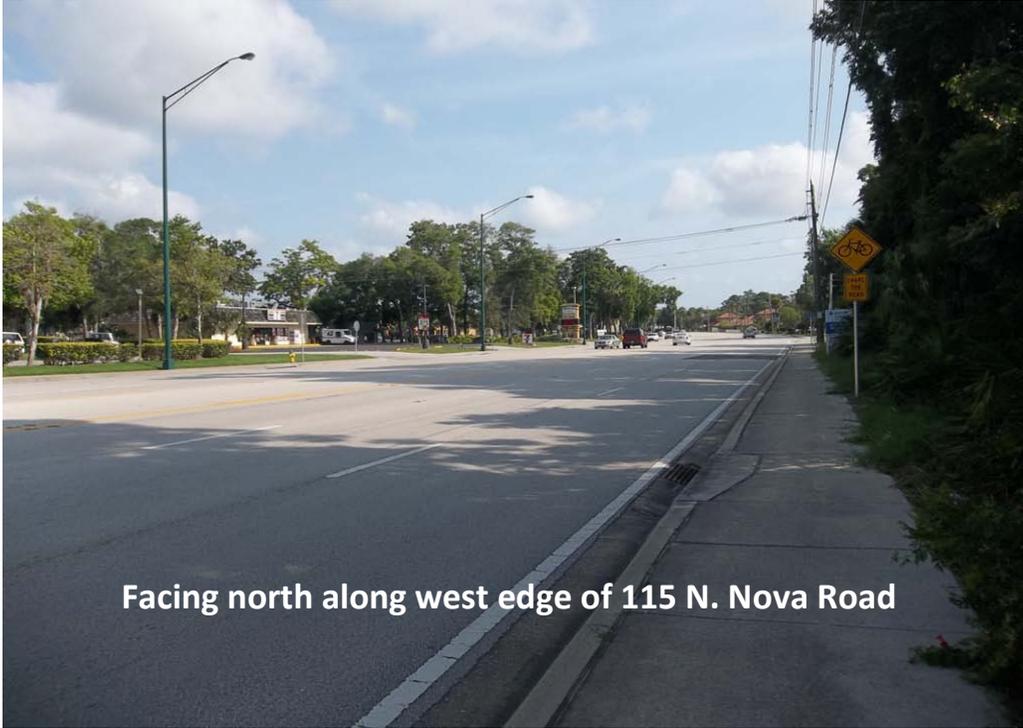
Suntrust Bank west of 115 N. Nova Road



7-Eleven west of 115 N. Nova Road



Medical Offices south of 115 N. Nova Road

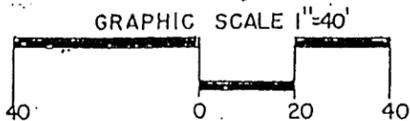


Facing north along west edge of 115 N. Nova Road

LEGEND: N DENOTES NORTH W DENOTES WEST P DENOTES PLAT CM DENOTES CONCRETE MONUMENT □ DENOTES SET CONCRETE MONUMENT —E— DENOTES POWER LINE —X—X— DENOTES FENCE BM DENOTES BENCHMARK
 S DENOTES SOUTH FM DENOTES FIELD MEASURES R/W DENOTES RIGHT-OF-WAY ○ DENOTES SET IRON PIPE ■ DENOTES FOUND CONCRETE MONUMENT —W— DENOTES WATER LINE ♀ DENOTES FIRE HYDRANT WM DENOTES WATER METER
 E DENOTES EAST D DENOTES DEED I.P. DENOTES IRON PIPE ● DENOTES FOUND IRON PIPE () DENOTES ELEVATION —S— DENOTES SEWER ⊗ DENOTES WATER VALVE CLF DENOTES CHAIN LINK FENCE

SUBJECT LIES IN FLOOD ZONE X PER PLOT OF SUBJECT (AS SCALED) PUBLISHED BASE FLOOD ELEVATION _____ BEARING STRUCTURE PER PLAT OF _____ ELEVATIONS BASED ON _____ PUBLISHED ELEVATION _____
 ON FIRM COMMUNITY PANEL NUMBER 1251360007D DATED 6/4/90 COMMUNITY ESTIMATED BASE FLOOD ELEVATION _____ EDOT PROJ # 79190-2520 SHEET 1 OF 12 DATED 3/29/99 BM DESCRIPTION _____

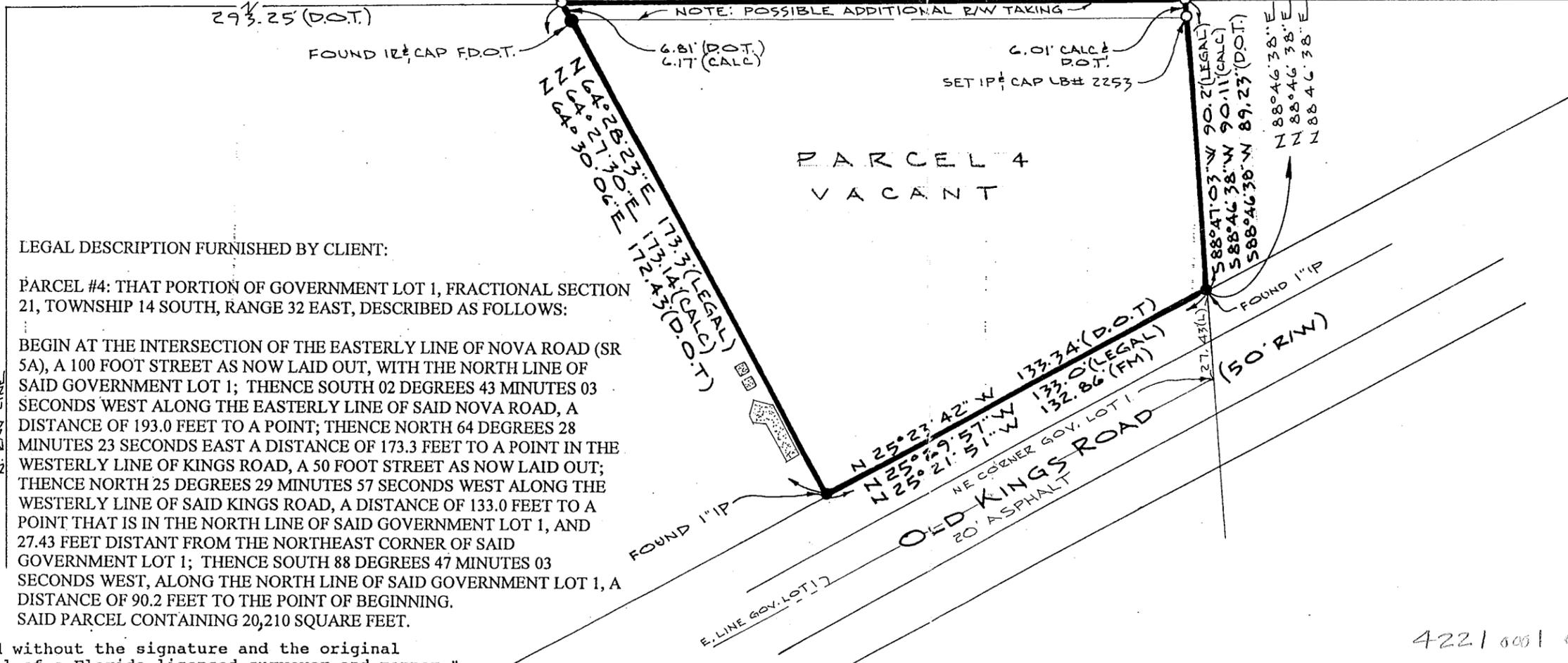
ORMOND BEACH, FLORIDA



NOVA ROAD STATE ROAD 5A

53' ASPHALT

STERTHAUS AVENUE (50' R/W)



LEGAL DESCRIPTION FURNISHED BY CLIENT:

PARCEL #4: THAT PORTION OF GOVERNMENT LOT 1, FRACTIONAL SECTION 21, TOWNSHIP 14 SOUTH, RANGE 32 EAST, DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EASTERLY LINE OF NOVA ROAD (SR 5A), A 100 FOOT STREET AS NOW LAID OUT, WITH THE NORTH LINE OF SAID GOVERNMENT LOT 1; THENCE SOUTH 02 DEGREES 43 MINUTES 03 SECONDS WEST ALONG THE EASTERLY LINE OF SAID NOVA ROAD, A DISTANCE OF 193.0 FEET TO A POINT; THENCE NORTH 64 DEGREES 28 MINUTES 23 SECONDS EAST A DISTANCE OF 173.3 FEET TO A POINT IN THE WESTERLY LINE OF KINGS ROAD, A 50 FOOT STREET AS NOW LAID OUT; THENCE NORTH 25 DEGREES 29 MINUTES 57 SECONDS WEST ALONG THE WESTERLY LINE OF SAID KINGS ROAD, A DISTANCE OF 133.0 FEET TO A POINT THAT IS IN THE NORTH LINE OF SAID GOVERNMENT LOT 1, AND 27.43 FEET DISTANT FROM THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 1; THENCE SOUTH 88 DEGREES 47 MINUTES 03 SECONDS WEST, ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 1, A DISTANCE OF 90.2 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 20,210 SQUARE FEET.

"Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper."



4221 0001 0013

GENERAL NOTES:
 NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAY AND OR OWNERSHIP WERE FURNISHED THIS SURVEYOR, EXCEPT AS SHOWN. THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN ON THIS PLAT OF SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
 THE TERM CERTIFIED AS USED IN THIS STATEMENT, IS UNDERSTOOD TO BE THE PROFESSIONAL OPINION OF THIS SURVEYOR AND FIRM WHICH IS FORMULATED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AND AS SUCH, IT DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. FURTHERMORE, THIS SURVEYOR AND FIRM DOES NOT ASSUME RESPONSIBILITY AND SHALL NOT BE LIABLE FOR CLAIMS ARISING FROM ERRONEOUS OR INCORRECT INFORMATION FURNISHED BY THE OWNER, LENDER, OR OWNER'S CONTRACTORS OR OTHERS, WHICH IS USED AS A BASIS TO FORMULATE THIS SURVEYORS OPINION.

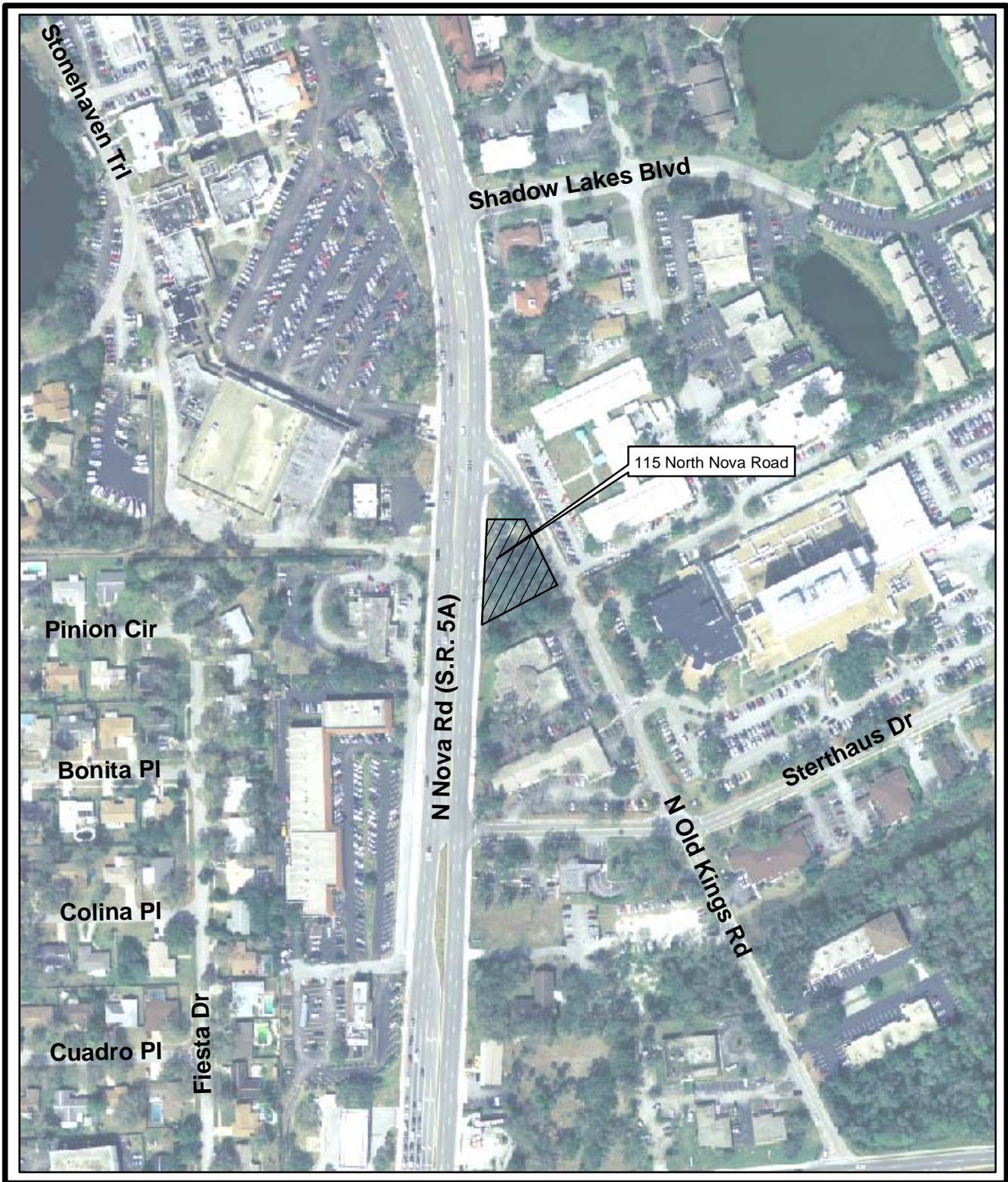


PREPARED BY
PHILLIPS SURVEYING, INC.
 PROFESSIONAL LAND SURVEYORS
 834 CARSWELL AVENUE
 HOLLY HILL, FLORIDA 32117
 255-1095
 SERVING VOLUSIA AND FLAGLER COUNTIES SINCE 1945
 JAMES E. PHILLIPS, PRESIDENT

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT TO BE A TRUE PRESENTATION OF FIELD SURVEY MADE UNDER MY DIRECTION AND SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING IN THE STATE OF FLORIDA AS PER CHAPTER 61G17-6 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472-027, FLORIDA STATUTES. SUBJECT TO ALL NOTES AND NOTATIONS SHOWN HEREON. VALID ONLY WITH EMBOSSED SEAL.
 CHARLES E. PURDIE, P.S.M. NO. 5933

TYPE OF SURVEY: **BOUNDARY**
 PREPARED FOR:
 THIS PLAT IS HEREBY CERTIFIED TO: **ROGER K. & ELIZABETH C. LEWIS**
 PARTY CHIEF: **D. M.**
 DRAWN BY: **RZH** DATE: **12/13/94**
 CHECKED BY: **CP**
 FIELD BOOK: **378/5-6**

PROJECT NO. **99736**
 DATE FIELD SURVEYED **12/13/99**
 SCALE **1"=30'**
 SHEET **1** OF **1**



LOCATION MAP
115 NORTH NOVA RD (4221-00-01-0013)

The City of Ormond Beach
G.I.S. Department
Prepared by: Eric Dickens 04/09/2012

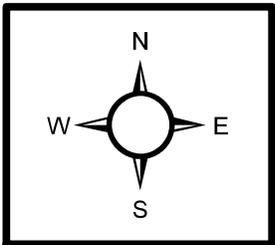


EXHIBIT 3

Legal Description

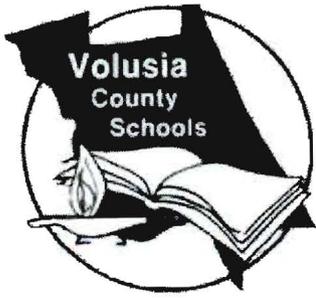
PROPERTY DESCRIPTION

(Provided by Client, Official Records Book 2246, Page 1992)

That portion of Government Lot 1, Fractional Section 21, Township 14 South, Range 32 East, described as follows: Begin at the intersection of the Easterly line of Nova Road (SR 5A), a 100' street as now laid out, with the North line of Said Government Lot 1; thence South $02^{\circ}43'03''$ West, along the Easterly line of said Nova Road, a distance of 193.0' to a point; thence North $64^{\circ}28'23''$ East a distance of 173.3' to a point in the Westerly line of Kings Road, a 50' street as now laid out; thence North $25^{\circ}29'57''$ West along the Westerly line of said Kings Road, a distance of 133.0' to a point that is in the North line of said Government Lot 1, and 27.43' distant from the Northeast corner of said Government Lot 1; thence South $88^{\circ}47'03''$ West, along the North line of said Government Lot 1, a distance of 90.2' to the point of beginning.

EXHIBIT 4

**School Board of
Volusia County Letter
06.05.12**



Dr. Margaret A. Smith
Superintendent of Schools

FACILITIES SERVICES

3750 Olson Drive, Daytona Beach, Florida 32124
PHONE: 386/947-8786 FAX: 386/506-5056

School Board of Volusia County

Dr. Al Williams, Chairman
Ms. Judy Conte, Vice-Chairman
Mr. Stan Schmidt
Ms. Candace Lankford
Mrs. Diane Smith

June 5, 2012

Ms. Laureen Kornel
Senior Planner
City of Ormond Beach
22 S. Beach Street, 3104
Ormond Beach, FL 32174

**RE: Land Use Amendment – 115 N. Nova Road
School Planning Case# 12-06-01-001-NI**

Dear Ms. Kornel:

District staff has reviewed the proposed small scale land use amendment for the .46 acre property located at 115 N. Nova Road in the city of Ormond Beach.

The current land use designation for the subject property is Open Space/Conservation, which does not permit residential uses. The proposed land use designation is Office/Professional. This land use designation could permit up to seven (7) residential units.

Based upon the minimal students generated from potential development of residential units on the subject property school district staff has no objection to the proposed land use amendment.

Thank you for the opportunity to review and comment on this land use change. If you should have questions or require additional information, please do not hesitate to contact me at (386) 947-8786 extension 50805.

Sincerely,

Helen LaValley
Planning Specialist

C: Saralee L. Morrissey, Director (via email)
File

CITY OF ORMOND BEACH

FLORIDA

PLANNING

MEMORANDUM

TO: Chairman Thomas and Planning Board members

FROM: Steven Spraker, AICP, Senior Planner

DATE: June 7, 2012

SUBJECT: Discussion Item, Outdoor Activity

INTRODUCTION:

Based on the April 3, 2012 City Commission workshop, Planning staff is seeking the input of the Planning Board in developing potential Land Development Code (LDC) amendments for outdoor activity. The purpose of this discussion item is to present the discussion that the City Commission conducted and to obtain direction for potential Land Development Code amendments regarding outdoor activity.

BACKGROUND:

At the May 10, 2012 Planning Board meeting, the Planning Board discussed the subject of outdoor activities, including allowing permanent outdoor display of merchandise. A brief summary of the items discussed is listed below:

1. The Board questioned the current process for special event permits and non-profit events.
2. The current Land Development Code regulations allow permanent outdoor display of merchandise through the Special Exception process.
3. Issues experienced by Tropicasual Furniture at 294 South Yonge Street.
4. Outdoor display of merchandise is dependent on the characteristics of individual sites and every site is unique.
5. There is no ability to distinguish between what merchandise is permitted to be displayed.
6. Allowing outdoor display of merchandise would have impacts to the City's Neighborhood Improvement Division tasked with enforcement of any new regulations.
7. Outdoor products should only be displayed when a business is open and should not impede pedestrian access.
8. Establishing a minimum distance of outdoor display of merchandise.
9. The Board requested that the Chamber of Commerce be contacted.
10. The Board requested to see regulations from other jurisdictions.
11. Statement that outdoor music should remain a Special Exception.

ANALYSIS: The following table describes the regulations of other jurisdictions. Exhibit 1 contains the regulations from the jurisdiction.

Permanent display of merchandise	Temporary display of merchandise	Other Notes
COCOA BEACH		
1. Outdoor sales that do not involve a large quantity of merchandise, as determined by the city manager or his designee, or which are not housed in tents or portable structures are exempt from permitting under certain conditions.	1. Temporary Sales allowed 4 times per year with maximum of 28 days under certain conditions.	
DAYTONA BEACH		
1. All uses & activities in M-1 and BW districts.	1. Allowed through Temporary promotional activities (TPA).	
2. Storage and sales of vehicles.	2. Permitted up to 20 days per year under certain conditions.	
3. Motor fuel sales.	3. Notable conditions: (1) shall not authorize itinerant vending (2) not available to properties with code enforcement board findings of non-compliance (3) limited to products sold in principal use (4) shall be within 100' of main entrance.	
4. Gift shop shell displays not greater than 80 square feet.		
5. Retail displays of garden supplies and products, lawn ornaments, swimming pools, and newspapers.		
6. Off-premises soliciting conducted in accordance with applicable provisions of the Code of Ordinances, in any commercial district.		
7. Drive-up and walk-up windows for food purchases, financial services, and film processing services.		
8. City Commission may authorize outside activities by Resolution.		
9. Sale and display of fresh Florida citrus fruit under conditions.		
10. Food and beverage service and sales under certain conditions.		
11. Children's outdoor residential play equipment in the BA zoning district under certain conditions.		
DAYTONA BEACH SHORES		
1. Gift shop shell displays not greater than 80 square feet.	1. Temporary promotional activities in GC-1 and CG-2 Commercial and T Hotel/Motel Districts with conditions.	
2. Retail displays at least one hundred (100) feet from any public right-of-way.	2. Notable conditions: (1) shall not authorize itinerant vending (2) 100' setback from ROW.	
3. Sidewalk cafes in the TC-MUPUDW District pursuant to an approved development agreement.		
DELAND		
1. No outdoor storage or display of equipment, supplies, merchandise, or personal property is permitted in the E-1, P-1, C-1, or C-3 zoning districts, regardless of the nature of the principal development.		Allow seasonal or temporary display
2. Outdoor display of equipment, supplies, merchandise, or personal property uses are permitted in the BR, C-2 and C-2AC zoning districts under certain conditions.		
3. Allowed in the rear of property in the C-2 zoning district.		
4. Vehicle display areas, if approved by a site plan of a special exception in the C-2 and C-2AC districts.		
5. Outdoor storage of equipment, supplies, and personal property may occur in the C-3, C-4, and M-1 zoning districts under certain conditions.		
6. Allowed in the Downtown, C-2A zoning district, under certain conditions.		
FLAGLER BEACH		
Per Marlene Beams, Permit Technician, no restrictions on outdoor display of merchandise by a business other than it cannot be in the right of way or block pedestrian traffic.		

Permanent display of merchandise	Temporary display of merchandise	Other Notes
HOLLY HILL		
1. In the B-2, B-3, B-4, B-5, B-6, I-1, I-2 and CC-1 zoning districts, the outside display, storage or sale of goods or merchandise that are normally sold inside a building occupied by a business holding a current local business tax receipt shall be allowed under certain conditions.		
2. Outside display or sales of goods, merchandise or services not normally sold within the licensed establishment and be permitted to allow other businesses or merchants to engage in such activity outside on the same premises subject to a special use permit.		
ORLANDO		
1. The merchandise being displayed must be items otherwise permitted to be sold in the zoning district in which the property is located. Only merchandise which must be displayed out of doors due to its size, nature or construction (such as swimming pools, landscaping materials, vehicles, etc.) may be displayed outdoors. Outdoor display of any and all other merchandise shall be prohibited, except as otherwise permitted for retail antique stores under Section 58.950.		
2. Allow display of retail antiques under certain conditions.		
3. "Special plan" overlay districts allow outdoor display of merchandise.		
ORMOND BEACH		
1. Outdoor Activity permitted through Special Exception in Commercial and Industrial zoning district.	1. Allowed through a Special Event Permit.	1. Provision for seasonal merchandise sales.
	4 times per year for 14 consecutive days - total 56 days.	2. Provision for outdoor activities/sales by non-profit organizations.
	Notable conditions: (1) limited to product sold by business (2) prohibits service stations, offices, industrial uses, and restaurants (3) allows tent sales and parking areas to be used under certain conditions.	
PORT ORANGE		
1. Display of landscape or garden supplies, outdoor recreational equipment, and lawn equipment.	Allowed 4 times a year, no more than 7 days (28 days).	1. Provision for seasonal merchandise sales.
2. Display of new and used motor vehicles, boats, recreational vehicles, mobile homes and other such vehicles.	Must be located directly in front of the business and not impact pedestrian access.	2. Provision for outdoor activities/sales by non-profit organizations.
3. Storage of licensed and operable motor vehicles, boats, recreational vehicles, tractor trailers, storage trailers and other such vehicles.	Requests for use of parking areas or vacant commercial parcels for sales events may be permitted by the city council.	
4. Display setups of products customarily used out of doors such as pools, spas, lawn furniture, concrete fixtures and other similar items shall be limited to one of any one product or model.		
5. Outdoor display and/or storage may be permitted in conjunction with special sales events such as those permitted under section 18-77, Code of Ordinances, and other uses when permitted by special exception or approved as part of a development plan.		
6. Licensed and inoperable motor vehicles awaiting repair may be stored within screened areas on the site of motor vehicle repair facilities and motor vehicle service centers, provided that no such vehicle shall be stored for more than 28 consecutive days.		
SOUTH DAYTONA		
1. Landscape or garden supplies in fenced areas.	1. Sidewalk sales under certain conditions.	1. Provision for outdoor activities/sales by non-profit organizations.
2. Display set-ups of products customarily used out of doors.	2. Maximum 30 days per year with no more than seven consecutive calendar days.	

The table below compares the various types of outdoor activities, current Ormond Beach regulations, summary of what other jurisdictions allows, and potential options for amendments:

	Current Ormond Beach regulations	Other Jurisdictions	Potential Changes
Seasonal display of merchandise	Allows sales by any retail establishment/house of worship of seasonal or holiday items 30 days prior to the holiday.	Several other jurisdictions allow season sales of merchandise. Several have no timeframe for the seasonal items are allowed to be displayed.	Staff is not aware of any existing issues with the current regulations.
Non-profit activities	Fundraising events, carnivals, church events, and other activities are allowed for non-profit organizations. Event is required to be registered with City building department. Site Plan Review Committee may review larger scale events. No fee if event is for a non-profit organization.	Similar regulations exist in Port Orange and South Daytona.	This provision has been widely used to permit a number of events. The sole issue that staff has had is the allowance of iterant vendors on a commercial property that partnered with a non-profit organization during Bike Week for a 10 days. There may need to be clarification to determine if non-profits can partner with commercial properties to introduce iterant vending.
Outdoor music/entertainment	Outdoor music/entertainment is currently a Special Exception use under the zoning category of Outdoor Activities. The Special Exception requires a community meeting and a sound test to demonstrate the request.		At the May 10, 2012 Planning Board meeting there was discussion that outdoor music should remain as a Special Exception.
Iterant vending	Iterant vending is not a specific use identified in the Land Development Code. Iterant vending could be permitted through a Special Exception.	Many jurisdictions that allow iterant vending utilize a process that includes City Commission approval either on an individual application or as part of a master special event permit.	Iterant vending continues to an issue brought up to staff by property owners, especially with annexations along North US1. While not specifically addressed in the Land Development Code, it is an Outdoor Activity and could be allowed through a Special Exception.
Temporary display of merchandise	Allowed four times a year, fourteen consecutive days. Conditions include: 1. The display is limited to the goods sold by the sponsoring business. 2. Prohibited uses include services stations, offices, industrial uses, and restaurants. 3. Allows use of parking areas and site for display of merchandise.	Several cities limited the outside display of merchandise to 28 to 30 days. A number of jurisdictions prohibited iterant vending through temporary sales and required the merchandise to be the same as sold in the principal use.	The temporary display of merchandise is consistent with many other jurisdictions and allows the greatest number of days of any of the jurisdictions surveyed. The current regulations also allow the use of parking areas and tents which require additional review in several jurisdictions.
Permanent display of merchandise	Allowed through a Special Exception in the commercial and industrial zoning districts.	There is a wide range of allowances by other cities. Some cities, such as Flagler Beach and Holly Hill allow the outdoor display of merchandise with minimal standards (protecting pedestrian walkways). Other jurisdictions allow outdoor merchandise but establish regulations to limit the location of displays. Examples would include DeLand, Daytona Beach Shores, and Orlando. Finally, other cities only allow outdoor display of merchandise through temporary sales, such as Port Orange.	Below are common elements observed in regulations of the permanent outdoor display of merchandise: General standards: 1. All outdoor permanent display of merchandise requires a permit. Applications for permits shall include a site plan. Unless otherwise waived by the Planning Director, the site plan shall include: the size and shape of the property; the size and location of all structures, vehicular use areas, sidewalks, streets and landscaping; and the size and location of the proposed display. 2. The display is limited to the goods sold by the sponsoring business and no itinerant vending is allowed. 3. Display areas shall be delineated by 4" wide yellow painted markings. 4. No additional signage shall be permitted. All temporary signage shall conform to the requirements of the Land Development Code Chapter 3, Article IV, Section 3-45(E)(1). Location standards: 1. Allow only for uses with business tax receipts for retail uses in the B-4, B-5, B-7, B-8 and PBD zoning districts. 2. The display area shall be located within 10' of the building, unless otherwise approved by the SPRC, and shall not a. Be closer than 75' from any public right-of-way. b. Cause an obstruction for pedestrians by limiting walkway width to less than five feet. c. Be located with a landscaped buffer. d. Be located in designated parking areas unless determined that the property has excess parking spaces by the SPRC and no negative impacts to the site circulation would occur. Size limitations: 1. The display area may be broken into clusters so long as the total length of all outdoor business display areas does not exceed 50 percent of the building front façade measured in linear feet. The total display area may be as much as ten feet in length when 50 percent of the front facade would be less than ten feet. Health and welfare standards: 1. All outdoor business displays shall be temporary and easily moved. The display area shall, at all times, be kept organized and neat in appearance, clean and free of litter and debris. 2. No display shall be permitted which presents a public health, safety or welfare hazard.

There are several limiting conditions regarding the permanent outdoor display of merchandise. One limiting condition is that the permanent outdoor display of merchandise would only be allowed in the B-4 (downtown area), B-5 (south US 1 area), B-7 (west side of SR A1A , Granada Boulevard west of I-95 and North US 1), B-8 (Nova Road, intersection of Granada Boulevard and Clyde Morris and Williamson Boulevards), and PBD zoning districts (various, includes Granada Plaza, Wal-Mart, Ormond Town Square, Trails Shopping Center) by retail uses. This condition would exclude the B-1, B-9, and B-10 zoning districts which are office related and are allocated along Granada Boulevard, Hand Avenue and Clyde Morris Boulevard. A second limiting condition is the distance required for the permanent outdoor display of merchandise currently proposed at 75'. These distances may automatically eliminate buildings in the Downtown, US 1 and along the west side of SR A1A based on the proximity of the building to the road. A third limiting condition is the requirement that the permanent outdoor display of merchandise must be within 10' of the building. This provision also allows the SPRC to modify the 10' if the applicant can demonstrate that there is a unique condition that would warrant the display somewhere else on the property. It is important to note that the proposed conditions are designed to providing a starting point for discussion and can be amended based on the recommendation of the Planning Board.

CONCLUSION: There is a wide range of options that are available to the Planning Board regarding outdoor activities. The focus of the City Commission discussion item was to investigate the potential for allowing the permanent display of outdoor merchandise. The table on page 4 of this report outlines conditions that are common in other nearby jurisdictions and would provide reasonable regulations for retailers. The conditions seek to balance the needs of the retailers, safety of customers and guests, and aesthetics of the City's roadway corridors. The conditions are meant as a starting point and can be adjusted based on the direction provided by the Board. It is important to note that the proposed regulation would still allow businesses that did not meet the conditional use criteria to apply for a Special Exception, so the business are no worse off with the proposed regulation than they are today.

Exhibit 1

Outdoor Activities

Other Jurisdictions
Regulations

Cocoa Beach

Section 4-81. - Temporary uses; retail sales.

A. General provisions.

1. Purpose. The purpose of this section is to specify regulations applicable to certain temporary uses which, because of the impact on surrounding land uses, require a temporary use permit and may require a temporary business permit, occupational license or other permits as may be required by other sections of the Code of Ordinances of the City of Cocoa Beach or state law.
2. Compatibility. Temporary commercial uses are hereby declared to be incompatible with residentially zoned areas or land uses, including multifamily developments.
3. Prohibited uses. No use that is prohibited in the zoning district where the temporary sales is proposed shall be allowed.
4. Temporary sales are prohibited on premises being used as an automobile service station, on public sidewalks (sidewalk vending and sales), on public rights-of-way, or in any residential developments, except those sales that may be regulated by and permitted under Cocoa Beach Code Chapter 14, Special Events.
5. Permit required. No temporary use shall be established until a temporary use permit has been obtained from the development services department.
6. Lighting. No permanent or temporary lighting shall be installed without an electrical permit and inspection.
7. Hours of operation. Hours of operation shall be specified and confined to that noted on the permit.

- B. Except as permitted under "seasonal sales" or those sales that may be regulated by and permitted under Cocoa Beach Code Chapter 14, Special Events, only bona fide licensed commercial businesses in the City of Cocoa Beach shall be allowed to obtain a temporary use permit for outdoor sales. Businesses with a home occupational license (defined) shall not be permitted to obtain a temporary use permit. Temporary uses must be conducted on the same property as where the permanent business is located. Off-site temporary sales are prohibited in the city.

Temporary sales may be permitted only in the CG commercial general district, CN neighborhood commercial district, PS-1 public and semi-public district, or B-1 public and recreational use district provided the following requirements are met:

1. Temporary sales per site (property) shall not be conducted more than twenty-eight (28) calendar days per year. There shall be no more than four (4) temporary sales allowed per site within those twenty-eight (28) calendar days. A sales permit shall be required for each sale and the fee for this permit shall be twenty-five dollars (\$25.00) for the first annual sale and ten dollars (\$10.00) for each additional annual sale.
2. The location and size of the temporary sale shall be reviewed and approved by the city manager or his designee to determine the impact of the function on the overall site.
3. If tents are utilized for the sales, they shall be permitted separately from the sale permit.
4. Sales shall be for the purposes of retailing merchandise that is normally sold from the business currently licensed by the City of Cocoa Beach, or for the display and sale of merchandise, or equipment not normally sold on a parcel. The decision of which sales

may be permitted under this section rests solely at the discretion of the city manager or his designee with appeal to the board of adjustment in accordance with provisions of Chapter I, Article IX, Duties of Officials; Matters of Appeal, of these regulations.

5. The merchandise or equipment to be sold is owned and/or offered for sale by the owner of the subject property or approved by the owner of the property.
 6. The location of temporary sales shall not reduce the parking requirements or effectiveness of landscaped areas located within the site and the areas for the display of the merchandise or equipment does not adversely impact the public health, safety or welfare of the citizens of Cocoa Beach.
 7. A minimum of forty-four (44) inches in width for all pedestrian ways shall be maintained for sidewalks on the approved site plan. Additional width may be required depending upon the site plan; sales shall be subject to the ADA Accessibility Guidelines for Buildings and Facilities as adopted by the State of Florida in the Florida Americans with Disabilities Accessibility Implementation Act.
- C. Seasonal sales. Seasonal temporary sales are permitted subject to the following:
1. Location shall only be allowed in commercial zoning districts that allow some form of retail activity.
 2. The applicant must provide written notarized permission from the property owner, to allow the use.
 3. Use of any required parking spaces for such sales shall not be permitted (parking requirements shall be based on current regulations).
 4. There shall be no more than two (2) seasonal temporary sales on any one property per calendar year.
 5. The maximum time limit per seasonal sale per site shall be thirty (30) days during the period.
 6. The minimum time period required between temporary seasonal sales on any one (1) site is twenty-eight (28) days.
 7. The following is the list of holidays approved for purposes of this section: New Years, Easter, Memorial Day, Fourth of July, Labor Day, Halloween, Thanksgiving and Christmas.
 8. Minimum setbacks shall be fifty (50) feet from state roadways (i.e., SR A1A, SR 520) and twenty-five (25) feet from all property lines.
 9. Proper ingress and egress shall be required.
 10. Signs shall be regulated as temporary or portable signs, as referenced in these regulations, Chapter VI, Signs and Displays.
 11. To promote the public health, safety and welfare, the applicant may be required to satisfy other regulations, as determined by the director of development services.
 12. Following filing of an application, staff shall be allowed ten (10) working days for proper investigation, but applicant shall not be subjected to unnecessary delay or hardship in obtaining license/permit. After such investigation, the city shall approve, deny, or approve with conditions the license/permit.
- D. Exemptions from permitting. Outdoor sales that do not involve a large quantity of merchandise, as determined by the city manager or his designee, or which are not housed in tents or portable structures are exempt from permitting provided:
1. The sale is for the purposes of retailing merchandise which is normally sold from the business currently licensed by the City of Cocoa Beach and there are no prohibitions for such sales elsewhere in City Code. The decision of which sales may be permitted

under this section rests solely at the discretion of the city manager or his designee with appeal to the board of adjustment in accordance with provisions of Chapter I, Article IX, Duties of Officials; Matters of Appeal, of these regulations.

2. All sales shall be held on the licensed premises. The business shall have been licensed for a minimum of ninety (90) days prior to outside sales.
3. Sales shall not encroach into rights-of-way or approved vehicular circulation patterns or divert pedestrian traffic into vehicular traffic lanes. The display of merchandise shall not reduce the parking requirements or effectiveness of landscaped areas located within the site.
4. A minimum of forty-four (44) inches in width for all pedestrian ways shall be maintained for sidewalks on the approved site plan. Additional width may be required depending upon the site plan; sales shall be subject to the ADA Accessibility Guidelines for Buildings and Facilities as adopted by the State of Florida in the Florida Americans with Disabilities Accessibility Implementation Act.

(Ord. No. 1385, § 7, 4-15-2004)

DAYTONA BEACH

Sec. 2.111. - Outside activities and uses.

- (a) *Purpose.* The City of Daytona Beach has an economy that is strongly dependent on tourism. The value of property is in part dependent on its appearance. Outside activities including sales, display, preparation, service, and storage can adversely affect the appearance of a community and its public image. It is within the public interest and contributes to the general welfare to project an attractive community image.
- (b) *Outside activities and uses prohibited generally.* Except as specifically provided otherwise, all activities, storage, and displays shall be conducted entirely within an enclosed structure in all districts of the city.
- (c) *Outside activities and uses specifically permitted.* The following uses and activities shall be permitted outside where the use is permitted in the district:
1. All uses and activities in M-1 and BW districts.
 2. Storage and sale of vehicles.
 3. Motor fuel sales.
 4. Gift shop shell displays not greater than 80 square feet.
 5. Retail displays of garden supplies and products, lawn ornaments, swimming pools, and newspapers.
 6. Off-premises soliciting conducted in accordance with applicable provisions of the Code of Ordinances, in any commercial district.
 7. Drive-up and walk-up windows for food purchases, financial services, and film processing services.
 8. By resolution, the city commission may authorize other temporary outside activities in distressed or blighted areas unless inconsistent with the applicable redevelopment area plan. The activities shall be in connection with a festival or other special event, and all outside activities shall be confined to the distressed or blighted area and designed to promote interest in year-round activity in the area. The following additional conditions shall apply:
 - a. Temporary outside activities shall not be approved for any lot which has been the subject of a code enforcement order finding noncompliance or imposing a fine within the three-year period prior to the date of application, or which is subject to an unpaid lien or assessment in favor of the city; or for any person who at the time of application is indebted to the city where the debt is in arrears. A person may seek a waiver from this prohibition by filing a written request for hearing before a special magistrate. The hearing on the request shall be held within 40 days of the date that the request for hearing is filed, by a special magistrate appointed for such purpose by the city commission pursuant to article 3, § 9 of this Code. The waiver may only be granted for just cause based on the following considerations:
 - (1) Where the applicant is an individual, the fault of the applicant in creating the condition that led to the order;
 - (2) Where the applicant is a corporation, limited liability company, or similar business firm, the fault of the firm's principals in creating the condition that led to the order;
 - (3) The gravity of the violation; and

permittee shall have at all times a person at the site of the concert who shall count and control access of the attendees to ensure that this requirement is being met.

- (2) The concert shall be conducted in a manner that meets all applicable provisions of this LDC regulating noise, including any applicable permit requirements relating to amplification of sound.
- (3) There shall be a minimum of one off-street parking space per each ten attendees as measured by the capacity of the pool deck (as described in (2) above), in addition to off-street parking provided for other established uses at the site of the concert. Where the applicant proposes to use parking located on private property other than the site of the concert ("off-site parking"), the off-site parking shall only be counted toward meeting this parking requirement where (i) the lot where the off-site parking is located is non-residential in character, (ii) the owner of the lot on which the off-site parking is located, consents in writing, and (iii) the use of the lot where the off-site parking is located, is such that the off-site parking spaces will in fact be available during the pool deck concert. The permittee shall place an approved notice at the entrance to the site of the pool deck concert, providing warnings that any vehicle illegally parked in adjoining residential areas may be towed.
- (4) Adequate restrooms shall be made available within the accommodation facility to accommodate the attendees, in accordance with general standards used by the department for city-sponsored public events.
- (5) The permittee shall provide a responsible person on site, for the entire duration of the event, to handle noise and traffic complaints of citizens, and shall post or publish that person's phone number if the phone number is other than the accommodation facility's published phone number.

e. *Additional conditions:*

- (1) Unless specifically waived by the city commission for good cause, the application for pool deck concert shall not be approved for any lot which has been the subject of a code enforcement board order finding non-compliance or imposing a fine within the three-year period prior to the date of application, or which is subject to an unpaid lien or assessment in favor of the city; or for any person who at the time of application is indebted to the city where the debt is in arrears.
- (2) Fees. In addition to the application review fee referenced above, the concert permittee shall pay, in advance of permit issuance:
 - i. A cash bond in the amount of \$2,000.00, which the city may use if the fee provided for at application is insufficient to recover the city's fire, police, or other public safety personnel costs associated with the event. The city shall return any portion of the cash bond that is unused to the permittee within 21 days after the concert event.
 - ii. Such fees as may be necessary to defray cost of the fire, police or other public safety personnel that may be necessary to handle the impacts of the concert, including crowd control, traffic impacts, and trash pick up, based on the projected number of

attendees. For purposes herein, such fees shall include at a minimum, the fees necessary to provide for parking enforcement to be located in the adjoining residential area, during the pool deck concert and for a period of one hour after the end of the pool deck concert.

- (3) The city commission may impose additional requirements determined to be helpful or necessary in maintaining public health, safety, and welfare.
- f. *No variances or waivers.* There shall be no variances or waivers to the requirements of this paragraph [2.111\(c\)9](#), except as specifically provided above in the case of prior code violations.
- g. *Violations.* Failure to comply with the provisions of this paragraph [2.111\(c\)9](#) or any specific permit conditions, shall be a violation of this LDC. In addition to other remedies such as code enforcement board action, the city manager is authorized to immediately revoke a pool concert permit without prior warning if the city manager determines that the concert is being conducted in a manner that poses imminent threat to public health, safety or welfare. Upon revocation of a pool concert permit, the permittee shall immediately cease the concert activities. Revocation shall be effective immediately upon notice to the permittee. Notice to the permittee shall be deemed to be given when delivered to the permittee or to any person listed in the permit application as managing or supervising the pool concert; or, if no such person appears to be on the site of the pool concert at the time of issuance, to any other person who appears to be in control of the accommodation or who appears to be acting on the permittee's behalf. Acquiescence to such determination does not waive any rights the applicant may have to determine the validity of such action. In the event the violation does not rise to the level of an imminent threat to the public health, safety or welfare, but does present a significant threat of further violations, the city may request an expedited special hearing before the code enforcement board within seven days of the alleged violation.
- h. This paragraph [2.111\(c\)9](#), shall automatically expire on October 1, 2006, unless this paragraph is re-adopted by ordinance. No pool deck concert permit shall issue or be valid pursuant to this paragraph after October 1, 2006, unless this paragraph is re-adopted by ordinance.
- (d) *Conditional outside activities and uses.* The following uses shall be permitted outside where the use is permitted in the district, provided the conditions set forth for the use are met:
1. Sale and display of fresh Florida citrus fruit shall be permitted provided:
 - a. Display shall be under a roof or a canopy. One edge of the roof or canopy shall be within 30 feet of the principal building. The canopy or roof shall comply with all setback requirements for the principal building and shall not infringe on a public right-of-way or easement open to public travel.
 - b. The display area shall not be greater than ten percent of the lot or parcel and not greater than 500 square feet.
 - c. All displays shall meet regulations of the state department of health.
 2. Food and beverage service and sales shall be permitted provided:
 - a. The outside service area shall be screened from residential uses or districts.
 - b. If within 500 feet of a residential zoning district the outside service area shall be closed between the hours of 3:00 a.m. and 7:00 a.m.
 3. Temporary promotional activities (TPAs) shall be permitted outside provided:

- a. No TPA permit shall be issued for any lot or site which has been the subject of a code enforcement board order finding noncompliance or imposing a fine relating to the requirements of this paragraph 2.111(d)3, within the three-year period prior to the date of TPA application, unless the special magistrate specifically waives this requirement for good cause. In determining whether just cause exists to waive this requirement, the special magistrate shall consider:
 - (1) Where the applicant is an individual, the fault of the applicant in creating the condition that led to the order;
 - (2) Where the applicant is a corporation, limited liability company, or similar business firm, the fault of the firm's principals in creating the condition that led to the order;
 - (3) The gravity of the violation; and
 - (4) Any prior opportunity which the applicant, and where the applicant is a business firm the applicant's principals, had to remedy the condition.
- b. TPA permits shall be personal to the permittee. TPAs shall not be transferable and shall not authorize itinerant vending.
- c. Except where modified pursuant to subparagraph 2.111(d)3.d. below, all of the following conditions shall apply:
 - (1) No lot or parcel shall be the site of TPAs for more than 20 days per calendar year.
 - (2) TPAs shall not be held during the seven days before or the seven days after a major event period as proclaimed by the mayor.
 - (3) TPAs shall consist solely of outside displays or sales.
 - (4) Only products customarily sold as part of the principal use may be displayed or sold, except for promotional items bearing the logo of the business; provided, however, that promotional items may not be displayed or sold out of temporary structures such as tents or trailers;
 - (5) The outside sales area shall be located within 100 feet of the main entrance to the business, and during major event periods declared by the mayor, shall be limited in size to a 500 feet maximum;
 - (6) The outside sales area shall not occupy or block driveways, drive aisles, fire lanes, or required parking spaces;
 - (7) If the outside sales area occupies sidewalk areas, the outside sales area shall not impede the safe ingress and egress of pedestrians; and
 - (8) Supplemental parking may be used for the display and sale of merchandise provided pedestrians are not compelled to walk across unmarked drive aisles or through parking spaces to reach the temporary sales area.
- d. The city commission may adopt by resolution, conditions which are more or less restrictive than those set forth in subsection 2.111(d)3.c., for TPAs to be held during national holidays or major event periods as declared by the mayor.
- e. The TPA permittee shall fully comply, and shall require compliance from all employees, agents, invitees and guests, with all federal, state and local laws, including city codes and ordinances.
- f. It shall be a violation of this Code to violate the terms of any TPA permit. In addition to other remedies such as code enforcement board action, the city manager is authorized to immediately suspend a TPA without prior warning if

the city manager determines that the TPA is being conducted in a manner that violates this paragraph 2.111(d)3, or in a manner that poses imminent threat to public health, safety or welfare. Upon suspension of a TPA permit, the TPA permittee must close down the temporary promotional activities authorized by the TPA permit until the suspension order is lifted. The conduct of a TPA after the permittee is notified of suspension, shall be presumed to be an "irreparable" or "irreversible" violation, as those terms are used in § 162.09(1), F.S. or any successor provision, in any code enforcement board proceeding. Suspension shall be effective immediately upon notice to the permittee. Notice to the permittee shall be deemed to be given when delivered to the permittee or to any person listed in the permit application as managing or supervising the TPA; or, if no such person appears to be on the site of the TPA at the time of issuance, to any other person who appears to be in control of the TPA or who appears to be acting on the TPA permittee's behalf.

4. Children's outdoor residential play equipment in the BA district, subject to the following conditions:
 - a. The play equipment shall not be located in any parking spaces, driveways, drive aisles or landscaped areas.
 - b. The play equipment shall not be located within ten feet of a public right-of-way.
 - c. The play equipment shall be newly manufactured and in good working order.
 - d. The play equipment display area shall not exceed 60 percent of the site.
- (e) *Outdoor recreational facilities as special use.* Outdoor recreational areas such as swimming, tennis and other court games, field sports, and similar activities may be permitted in any district as a special use pursuant to the following criteria:
 1. The use shall be compatible with surrounding uses in regard to hours of operation, type and amount of traffic expected to be generated, and the arrangement of uses on the site.
 2. Accessory buildings such as locker rooms, shower facilities, and sun shelters shall meet the lot and building requirements in the district in which they are located. No accessory buildings shall be installed in any required front or side yards.
 3. There shall be no retail sales of goods in nonretail districts, except as an unadvertised accessory use.
 4. In single-family districts no more than 50 percent of the site shall be covered with impervious surfaces.
 5. Effort shall be made to preserve existing vegetation and to install new landscaping with the intent of beautifying the proposed development and reducing its impact and intensity in associated residential areas. A 15-foot buffer shall be provided around the perimeter of the site to screen the recreational activities from adjacent residential uses or districts.
 6. Recreational facilities operated for profit shall not be permitted in any R-1 district.
- (f) *Artists outdoors, portrait or caricatures, RDD-2 district.* In the RDD-2 district, portrait or caricature artists may work outdoors on private property at retail establishments. The artist shall have a current occupational license issued for the site.

(Ord. No. 01-366, § 1, 9-5-2001; Ord. No. 02-466, §§ 5, 6, 9-18-2002; Ord. No. 03-88, § 1(Exh. A), 2-20-2003; Ord. No. 03-479, § 2, 10-15-2003; Ord. No. 04-218, § 1, 5-19-2004; Ord. No. 04-267, § 1, 6-16-2004; Ord. No. 05-457, § 1, 11-23-2005; Ord. No. 09-189, § 1, 7-15-2009)

DAYTONA BEACH SHORES

Sec. 14-60.2. - Temporary promotional activity permits, standards in the GC-1 and GC-2 Commercial Districts and T Hotel/Motel District.

Temporary promotional activities shall be permitted outdoors in front of an existing licensed business, provided:

1. Application shall be on an appropriate form provided by the City and submitted at least sixty (60) days prior to the initiation of the requested temporary promotional activity. The City Council may determine appropriate fees for this permit by resolution.
2. The temporary promotional activities shall be in accordance with the existing licensed business activity(s) for each site; temporary promotional activities shall not consist of outside sales.
3. Outdoor displays shall not impede pedestrian or vehicular traffic, occupy or block driveways, drive aisles, fire lanes and shall not be placed in any required parking area nor within one hundred (100) feet of any right-of-way.
4. No temporary promotional activities may occur within temporary structures such as tents or trailers.
5. Site plans shall be attached to the application for any temporary promotional activity permit.
6. Temporary signs, including banners, shall comply with the Land Development Code regarding temporary signage, including but, not limited to section 6-8(18), Banner Signs.
7. The enforcement official, or his or her designated representative, shall make an inspection of the properties involved. If the enforcement official denies the permit, the applicant may appeal the ruling to the City Council within ten (10) days of the enforcement official's ruling.
8. Temporary promotional activity permits shall be personal to the permittee and shall not be transferable.
9. Temporary promotional activities shall not authorize itinerant vending.
10. It shall be a violation of the Land Development Code to violate the terms of any temporary promotional activity permit. In addition to other remedies such as Code Enforcement Board action, the City Manager is authorized to immediately suspend or revoke a temporary promotional activity permit, without prior warning, if the City Manager determines that the temporary promotional activity is being conducted in a manner that violates any portion of this [section 14-60.2](#), or in a manner that poses an imminent threat to public health, safety or welfare. Upon revocation of a temporary promotional activity permit, the permittee shall immediately cease the temporary promotional activity authorized by the permit. The permittee shall be required to obtain a new permit and pay new permit fees before the permit activity may be resumed. Upon suspension of a temporary promotional activity permit, the temporary promotional activity permittee must close down the temporary promotional activities authorized by the permit until the suspension order is lifted. Suspension or revocation shall be effective immediately upon notice to the permittee. Notice to the permittee shall be deemed to be given when delivered to the permittee or to any person listed in the permit application as managing or supervising the temporary promotional activity or, if no such person appears to be on the site of the temporary promotional activity at

the time of the issuance, to any other person who appears to be in control of the temporary promotional activity or who appears to be acting on the temporary promotional activity permittee's behalf.

(Ord. No. 2001-03, § 4, 2-28-01; Ord. No. 2003-06, § 1, 3-12-03)

Sec. 14-60.3. - Outside activities and uses.

1. *Outside Activities and Uses Prohibited Generally.* Except as specifically provided otherwise all activities, storage and displays shall be conducted entirely within an enclosed structure in all districts of the City.
2. *Outside Activities and Uses Specifically Permitted.*
 - (a) Gift shop shell displays not greater than eighty (80) square feet.
 - (b) Retail displays at least one hundred (100) feet from any public right-of-way.
 - (c) Temporary promotional activities as provided in [section 14-60.2](#)
 - (d) Sidewalk cafes in the TC-MUPUDW District pursuant to an approved development agreement.

(Ord. No. 2003-05, § 1, 3-12-03; Ord. No. 2010-09, § 3, 5-11-10)

DELAND

- No accessory bed and breakfast inn shall be permitted to have more than 12 guestrooms.
- b. The use of the structure as a bed and breakfast inn shall not change the existing residential character of the structure.
 - c. No living quarters or guestrooms may be located in any accessory building.
 - d. The entire perimeter of the property shall be landscaped with a minimum Class A landscape buffer (refer to [section 33-92](#)).
 - e. A bed and breakfast inn shall be subject to all applicable city occupational licenses and all applicable state and local business taxes.
 - f. Guestrooms shall be located in structures 50 years of age or older.
 - g. If food service is provided, it shall be restricted to guests staying at the inn.
- (e) *Other applicable regulations.* Bed and breakfast homestays and bed and breakfast inns shall comply with all applicable local, regional, state, and federal regulations for the district in which the home is located, including but not limited to handicap accessibility.
- (f) *Nonconforming uses.* Property which does not meet the minimum required lot size or minimum setback requirements of the specific zoning district in which the structure is located may not be considered for review as a bed and breakfast homestay or bed and breakfast inn unless a variance is obtained per [section 33-102](#)
- 33-27.04. *Outdoor storage or display of personal property in various zoning districts.*
- (a) *General requirements.* All accessory storage or display of personal property or materials shall meet the following general standards and requirements, as well as any standards in the sections that follow which apply to specific zoning districts. Personal property is defined as property other than real property consisting of things temporary or moveable.
1. No storage or display of equipment, supplies, merchandise, or personal property is permitted unless there is a permitted principal development on the parcel, located in full compliance with all standards and requirements of this chapter.
 2. No outdoor storage or display of equipment, supplies, merchandise, or personal property is permitted in the E-1, P-1, C-1, or C-3 zoning districts, regardless of the nature of the principal development.
 3. All outdoor business storage and displays shall be located in a manner which does not cause an obstruction for pedestrians by limiting walkway width to less than five feet and/or sight distance problems for vehicles as described as subsection 33-90.03(O) of the City of DeLand's Land Development Regulations.
 4. No outdoor business storage or display shall obscure or interfere with any official notice or public safety sign or device.
 5. All outdoor storage, display or sales shall be restricted to private property, and no sales or storage shall be permitted on publicly owned land including, but not limited to, sidewalks and improved or unimproved right-of-way, unless approved by the city manager or designee as part of an approved special event.
 - 6.

Unless used as part of a permitted special event, no moveable vehicle such as a truck or trailer shall be used for outside storage or sales.

- (b) *Specific zoning district requirements for the BR, C-2, C-2AC, C-4 and M-1 zoning districts.* Unless otherwise prohibited in the list of primary, conditional or special-exception uses for each zoning district, outdoor display of equipment, supplies, merchandise, or personal property is permitted in the zoning districts as provided for below if they meet the following criteria in addition to the general requirements listed in subsection (a).
1. Outdoor display of equipment, supplies, merchandise, or personal property uses are permitted in the BR, C-2 and C-2AC zoning districts under the following criteria.
 - a. All outdoor business displays shall be temporary and easily moved. The displays shall be placed outside only while the primary business is open. No outdoor displays shall be permitted within the public right-of-way.
 - b. All outdoor business displays shall be continuously maintained in a state of order, security, safety and repair. The display surface shall be kept clean, neatly painted, and free of rust, corrosion, protruding tacks, nails and/or wires. Any cracked, broken surfaces or other unmaintained or damaged portion of a display shall be repaired or replaced or removed immediately.
 - c. All outdoor business displays shall be neat, orderly and otherwise conducive to creating a top-quality shopping environment. No display shall contain obscene, indecent or immoral matter.
 - d. The outdoor business displays must be self-supporting, stable and weighted or constructed to withstand overturning by wind or contact. The display shall not be permanently affixed to any object, structure or the ground including, but not limited to, utility poles, light poles, and trees.
 - e. The length of an outdoor business display area shall not exceed five percent of the building front facade measured in linear feet. The display area may be as much as ten feet when five percent of the front facade would be less than ten feet.
 2. Outdoor storage or display of equipment, supplies, merchandise, or personal property uses are permitted in the in the rear of the property in the C-2 zoning district only. The outdoor display or storage is not permitted in the landscape buffer area.
 3. Vehicle display areas, if approved by a site plan of a special exception in the C-2 and C-2AC districts, shall be allowed to locate in the front of the principal building, but not in any landscape buffer area.
 4. Outdoor storage of equipment, supplies, and personal property may occur in the C-3, C-4, and M-1 zoning districts providing the following conditions are met:
 - a. No outdoor storage area shall be located in the landscape buffer area.
 - b. The storage area shall be entirely screened with an opaque screen of at least eight feet in height. Webbed chain link fences may not be utilized to meet this requirement. Masonry block, wood, vinyl or other building materials are permitted.
 - c. The screen must be set back at least five feet from the rear and side lot lines.

- d. Screening may be composed entirely of plant materials provided that at maturity, or within one year, whichever is less, the plant materials shall be at least eight feet high and 85 percent opaque. If the screen is constructed of block, wood, or other building materials, then two shrubs per 30 linear feet of fence will be required to be planted on the exterior side of the screen. Shrubs may be clustered.

(Ord. No. 2007-12, § 17, 2-5-07)

- (c) *Downtown requirements.* Outdoor display of equipment, supplies, merchandise, or personal property uses are permitted in the C-2A zoning district if they meet the following criteria:

1. All outdoor business displays shall be temporary and easily moved. The displays shall be placed outside during business hours only. Outdoor displays shall be permitted within the public sidewalk or right-of-way only as provided for herein.
2. All outdoor business displays shall be continuously maintained in a state of order, security, safety and repair. The display surface shall be kept clean, neatly painted, and free of rust, corrosion, protruding tacks, nails and/or wires. Any cracked, broken surfaces or other unmaintained or damaged portion of a display shall be repaired or replaced or removed within 30 days.
3. All outdoor business displays shall be neat, orderly and otherwise conducive to creating a top quality shopping environment. No display shall contain obscene, indecent or immoral matter.
4. The outdoor business displays must be self-supporting, stable and of sufficient weight or constructed to withstand overturning by wind or contact. The display shall not be permanently affixed to any object, structure or the ground including, but not limited to, utility poles, light poles, and trees.
5. Each individual business within the C-2A zoning district shall be allowed a business display area to be located outside the walls of the subject business building. This display may include, but is not limited to:
 - Racks of items;
 - Display carts;
 - Individual items such as pieces of furniture, or sculpture, that are too large to place on or in a rack, table or cart;
 - Display tables with various business-related items sold within the building, such as that used for a "sidewalk sale".

The display area may be broken into clusters so long as the total length of all outdoor business display areas does not exceed 50 percent of the building front facade measured in linear feet. The total display area may be as much as eight feet in length when 50 percent of the front facade would be less than eight feet.

These business displays shall not contain any information which would routinely be placed on a business sign located on the building such as the name or type of business, hours of business operation, business logo, brand name information, etc. The business display may include a sign which indicates the price of the display item (s) or simply indicates a "sale" on the item(s).

6. The outdoor business display shall be placed adjacent to and parallel to the subject business building. These displays shall not be placed adjacent to the street curb or perpendicular to the subject business building. A clear area of at least five feet in width must be maintained for pedestrian use between the

- street curb and the outer edge of the business display. A clear area of five feet in width must also be maintained to building entries. An outdoor business display shall not encroach upon the building frontage of an adjacent business.
7. The overall height of the display shall be limited to four feet; however individual items, racks or display areas may exceed this limit so long as they comprise no more than 25 percent of the maximum permissible display length for the building, are less than seven feet in height, and do not obscure view of the sales area from the building windows.
 8. If a business has outdoor tables located within the public sidewalk or right-of-way, no additional business display shall be permitted. If a business has a sandwich board sign in front of the business the business display area shall be reduced in size equal to the size of the sandwich board sign.
 9. All outdoor business displays shall be temporary. The displays shall be placed outside only while the primary business is open. No permanent outdoor displays shall be permitted within the public sidewalk or right-of-way. Nothing herein is intended to be an abandonment of any dedicated or prescriptive sidewalk or rights-of-way and the temporary displays on the public sidewalk or right-of-way may be removed at the discretion of the city manager or his designee if he determines that the display interferes with pedestrian traffic or otherwise determines that the display creates a safety hazard.
 10. Any person who wishes to place an outdoor business display on a public sidewalk or right-of-way shall do so at his or her own risk and shall execute an agreement to defend, indemnify and hold harmless the City of DeLand, Volusia County, and the Florida Department of Transportation from and against any and all liability, losses, damages, claims, demands, expenses, fees, fines, penalties, suits, proceedings, actions and costs of actions (including attorney's fees), of whatsoever kind or nature arising out of or in any way related to the design, construction, installation or maintenance of an outdoor business display or any act or omission of an outdoor business display owner or his or her agents, employees, independent contractors, customers, patrons or invitees, whether on the public sidewalk or elsewhere.

The city will provide the appropriate form to be signed by the operator of the business displaying the merchandise or sandwich board sign holding the City of DeLand harmless. The temporary displays on the public sidewalk/right-of-way may be removed at the discretion of the city manager or his designee if he determines that the display interferes with pedestrian traffic or otherwise determines that the display creates a safety hazard.

11. Outdoor storage within the C-2A district is only allowed as an accessory use to a hardware store or plant and landscape store and may only occur providing all materials are stored on the lot with the principal structure and not within more than two parking spaces of the off street parking area. Materials may not be stored in the landscape buffer or right-of-way. Unless approved as part of a Class III site plan by the city commission, materials to be stored must be located adjacent to and parallel to the front plane of the primary building and may not exceed seven feet in height and five feet in width.
- (D) *Seasonal or temporary display requirements.* In addition to the nonseasonal displays described above, outdoor display of seasonal (holiday) supplies or merchandise is permitted in the M-1, C-2, C-2 A and C-2AC zoning districts and as an accessory use to a permitted school or church use if they meet the following criteria:

1. Approved by the fire department.
2. Display area does not block vehicular or pedestrian access or fire lanes.
3. Seasonal display and sales area does not cover more than ten percent or 25 linear feet of the front building facade, or 1,000 square feet or five percent of a parking lot or open area, whichever is greater.
4. All displays associated with seasonal sales shall be erected no earlier than 35 days prior to each of the following holidays: Easter, Independence Day, Halloween and Christmas Day. Display areas and merchandise shall be removed seven days after said holiday.
5. Subject to the above criteria and applicable fire and safety codes, the chief building official may authorize a special use permit for a seasonal display.

(Ord. No. 2004-10, § 4, 2-16-04; Ord. No. 2004-40, § 1, 8-16-04)

33- *Low intensity agriculture.*

27.05. *Generally.* Low intensity agriculture is permitted only as an accessory to single-family

- (a) dwellings. The uses in this category include the raising of crops, citrus, or fern; and the keeping of animals, including aviaries, pisciculture, and apiaries.

Low intensity agricultural uses are restricted to properties, which are located in either the R-R or R-R1 zoning districts. Low intensity agricultural land uses may be permitted in other single-family zoning districts provided that the property is at least two acres in area and that a minimum of a Class C landscape buffer is provided along the perimeter of the property.

- (b) *Where allowed.* Low intensity agricultural uses which are an accessory use to a single-family residence may be located in any of the following zoning districts, provided that the use is consistent with the Comprehensive Plan and the requirements of this section are met: R-R, R-R1, R-1AA, R-1A, R-1B, and R-1.
- (c) *Other applicable regulations.* The primary use shall comply with all applicable local, regional, state, and federal regulations for the district in which the primary use is located.
- (d) *Nonconforming uses.* Property which does not meet the minimum required lot size or minimum setback requirements of the specific zoning district in which the structure is located shall not be permitted to have low intensity agriculture as an accessory use.

(Ord. No. 2002-09, §§ 1, 2, 2-18-02)

HOLLY HILL

Holly Hill, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> **Chapter 114 - ZONING >> ARTICLE III. - SUPPLEMENTARY DISTRICT REGULATIONS >> DIVISION 11. - OUTSIDE DISPLAY AND SALE OF GOODS, MERCHANDISE AND SERVICES >>**

DIVISION 11. - OUTSIDE DISPLAY AND SALE OF GOODS, MERCHANDISE AND SERVICES ^[741]

Sec. 114-901. - Outside display, storage or sale of goods, merchandise or services not requiring a special use permit.

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In the B-2, B-3, B-4, B-5, B-6, I-1, I-2 and CC-1 zoning districts, the outside display, storage or sale of goods or merchandise that are normally sold inside a building occupied by a business holding a current local business tax receipt shall be allowed, unless otherwise prohibited, subject to the following conditions.

- (1) No goods or merchandise shall be displayed, stored or sold on any public right-of-way, public sidewalk or designated parking area.
- (2) The outside display, storage or sale of goods and merchandise on private property or a private sidewalk shall be allowed, however, such goods and merchandise shall not create a hazard to, impede or obstruct pedestrian movement, and shall not violate the minimum fire and safety codes standards or any other regulations of the city.

(Ord. No. 2549, § 1, 11-10-98; Ord. No. 2660, § 1, 4-22-03; Ord. No. 2666, § 1, 7-22-03; Ord. No. 2793, § 1, 3-27-07)

Sec. 114-902. - Outside display, storage or sale of goods, merchandise or services requiring special use permit.

A business holding a current local business tax receipt or property owner upon which the business is located may be permitted to engage in outside display or sales of goods, merchandise or services not normally sold within the licensed establishment and be permitted to allow other businesses or merchants to engage in such activity outside on the same premises subject to the following conditions:

- (1) A special use permit shall be required. Application for a special use permit shall be filed in the building department on a form provided by the city. The application shall be accompanied by a permit fee, the amount of which to be established by resolution of the city commission. The special use application shall include a site plan showing the locations of where the special use activities will be conducted, parking, ingress and egress, traffic control, portable toilets (if required), information necessary to show compliance with subsection (7) below and such other information requested by the city. If the applicant is not the business owner

ORLANDO

Orlando, Florida, Code of Ordinances >> TITLE II - CITY CODE >> [Chapter 58 - ZONING DISTRICTS AND USES](#) >> [PART 5. - ACCESSORY USES AND STRUCTURES](#) >> [5B. - SPECIFIC ACCESSORY USES AND STRUCTURES](#) >> - >> - >> [5B\(9\). - OUTDOOR DISPLAY OF MERCHANDISE](#) >>

5B(9). - OUTDOOR DISPLAY OF MERCHANDISE

[Sec. 58.945. - General Requirements.](#)

[Sec. 58.946. - Use Restrictions.](#)

[Sec. 58.947. - Locational Requirements.](#)

[Sec. 58.948. - Location Requirements—Right-of-Way.](#)

[Sec. 58.949. - Location Requirements—Access and Parking.](#)

[Sec. 58.950. - Permits for Retail Antique Displays.](#)

Sec. 58.945. - General Requirements.

Outdoor display of merchandise which is an accessory use to any commercial use may be permitted in accordance with the following requirements. These requirements shall not apply to any Open Air Market as defined in [Chapter 66](#). Additional requirements apply to outside Retail Antique Displays as detailed in [Section 58.950](#).

(Ord. of 9-16-1991, Doc. #25094; Ord. of 4-20-1992, Doc. #25633; Ord. of 1-24-2005, § 16, Doc. #050124909)

Sec. 58.946. - Use Restrictions.

The merchandise being displayed must be items otherwise permitted to be sold in the zoning district in which the property is located. Only merchandise which must be displayed out of doors due to its size, nature or construction (such as swimming pools, landscaping materials, vehicles, etc.) may be displayed outdoors. Outdoor display of any and all other merchandise shall be prohibited, except as otherwise permitted for retail antique stores under [Section 58.950](#).

(Ord. of 9-16-1991, Doc. #25094; Ord. of 4-20-1992, Doc. #25633)

Sec. 58.947. - Locational Requirements.

Merchandise displayed outdoors shall not encroach into any parking spaces or vehicular use areas required by this Chapter, nor into any landscaping area or bufferyard required by this Chapter, nor into any public right-of-way.

(Ord. of 9-16-1991, Doc. #25094)

Sec. 58.948. - Location Requirements—Right-of-Way.

No outdoor display of merchandise shall be allowed within the right-of-way of a public street without the approval of the City Engineer and City Traffic Operations Engineer in writing.

(Ord. of 9-16-1991, Doc. #25094)

Sec. 58.949. - Location Requirements—Access and Parking.

No outdoor display of merchandise shall be allowed without approved access and parking per Land Development Code so as not to require illegal and unsafe stopping, standing or parking within the public right-of-way.

(Ord. of 9-16-1991, Doc. #25094; Ord. of 5-20-1996, Doc. #29361)

Sec. 58.950. - Permits for Retail Antique Displays.

Permits shall be required for the display of retail antiques out of doors. Applications for permits shall be submitted to the Zoning Official and shall include a site plan. Unless otherwise waived by the Zoning Official, the site plan shall include: the size and shape of the property; the size and location of all structures, vehicular use areas, sidewalks, streets and landscaping; and the size and location of the proposed display. Applications shall also include the address and name of landowner and address and name of vendor.

Applications for such permits shall be reviewed by the Planning Director or his designee for compliance with all applicable codes. In addition the Zoning Official shall determine that:

- (a) The proposed display does not hinder access, ingress or egress or obstruct required parking or intrude on public right-of-way;
- (b) The proposed display will be located so as to be compatible with the existing and surrounding buildings;
- (c) The proposed display results in the least possible detrimental impact to the site;
- (d) The proposed display does not reduce the safety, light or general convenience of surrounding developments;
- (e) Required landscaping will not be threatened or damaged and is protected in accordance with the requirements of the Land Development Code;
- (f) The flow of pedestrian traffic will not be halted or materially impaired; and
- (g) The proposed display will not materially affect line of sight for vehicular or pedestrian traffic adjacent or near to the display.

Any outdoor display of merchandise for retail antique stores shall be limited to the actual hours the establishment is open for business. However, in no event shall merchandise be displayed other than between the hours of 8:00 a.m. and 8:00 p.m. (Eastern Time). Loading and unloading of merchandise shall not occur so as to leave merchandise outside for more than three hours when such merchandise has not been placed according to permit and site plan specifications.

The Zoning Official or his designee in considering any application for outdoor display of merchandise for retail antique store establishments may establish conditions relative to the number of items, location, hours for display, maximum number of days (if any), and any other conditions necessary to insure an outdoor display which is in compliance with all applicable codes, which is in keeping with the particular establishment and which is compatible with surrounding properties.

The Zoning Official shall revoke any permit issued under this section if the Zoning Official finds, based on competent substantial evidence, that any conditions of the permit are violated. The permit holder shall have the right to appeal such revocation to the Board of Zoning Adjustment. There shall be no outdoor display during the period of any appeal.

PORT ORANGE

Port Orange, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> [Chapter 18 - BUSINESSES](#) >> [ARTICLE IV. - SIDEWALK, GARAGE, YARD SALES](#) >>

ARTICLE IV. - SIDEWALK, GARAGE, YARD SALES [20]

[Sec. 18-76. - Garage and yard sales.](#)

[Sec. 18-77. - Sidewalk and outdoor sales.](#)

[Sec. 18-78. - Certain businesses exempt from requirements.](#)

[Secs. 18-79—18-95. - Reserved.](#)

Sec. 18-76. - Garage and yard sales.

The term "garage and yard sale" shall mean a sale conducted by the owner or lessee of any family dwelling where household or personal items, not purchased specifically for such sale, are displayed within the garage, carport, dwelling or yard and offered to the public for sale. Such sales may be conducted at any such dwelling subject to the following stipulations:

- (1) Not more than two such sales may be conducted at the same address by the owner or lessee in any calendar year. Sales shall be limited to three consecutive days or two consecutive weekends of two days each.
- (2) No such sale may be conducted unless a permit has been obtained from the community development director or his designee. The permit shall be issued upon written application in accordance with these requirements and upon payment of the prescribed fee. A permit fee shall be required for each sale. A permit shall be issued which shall be displayed on the subject property to identify and advertise the garage or yard sale.
- (3) These requirements shall not apply to sales of personal property made under court order or process.

(Ord. No. 1991-2, § 11, 2-5-91)

Sec. 18-77. - Sidewalk and outdoor sales.

Sidewalk sales and other outdoor sales events may be conducted in any nonresidential zoning district subject to the following regulations:

- (1) No more than four outdoor sales events shall be permitted for any one business in any calendar year. Sales events shall not exceed seven consecutive days.
- (2) Except as provided in subsection (3) of this section, sales shall be located on the sidewalk directly in front of the business establishment or retail store conducting the sale. Sales shall not impede pedestrian traffic or create a public safety hazard as determined by the city manager.
- (3) Requests for use of parking areas or vacant commercial parcels for sales events may be permitted by the city council. Such requests shall include site plans specifying the limits of the sales area, pedestrian access, traffic patterns, location of merchandise, barricades, special signage, and other requirements necessary

to maintain through traffic patterns and public safety in and around the sales area.

- (4) Displays by any business establishment or retail store of seasonal or holiday items, such as Christmas trees and Halloween pumpkins, or items which may not easily be displayed indoors shall be exempt from this section, provided that such displays do not impede pedestrian traffic and the display area is located outside parking and traffic areas in front of the business establishment or retail store selling such items. Seasonal items do not include garden supplies and equipment, landscape materials, bicycles, children's pools, lawn furniture, fireworks, and other merchandise associated with spring and summer.
- (5) Bake sales, cookie sales, car washes, charitable solicitation, temporary drop-off boxes used for four weeks or less, and other such sales and fundraising events conducted by or on behalf of a charitable organization as defined in [section 18-171](#) shall be exempt from subsection (1) of this section, provided that such sales or fundraising events do not impede pedestrian traffic or create a public safety hazard as determined by the city manager. However, such sales and fundraising events shall comply with all other applicable requirements of this section and article VI of [chapter 18](#)
- (6) No outdoor sales event shall be conducted unless a permit has been obtained from the community development director or the director's designee. Site plans specifying the limits of the sales area, pedestrian access, traffic patterns, location of merchandise, barricades, special signage and other requirements necessary to maintain public safety shall be submitted with each permit application and reviewed by the affected departments. The city may, as a condition of permit approval, require the applicant to provide police officers at the expense of the applicant to help ensure public safety. The city may, as a condition of permit approval, require the applicant to post a good and sufficient surety bond or cash bond conditioned upon the removal of any garbage, waste, trash, and debris from the property within 48 hours after the outdoor sales event. The permit shall be issued upon written application, subject to compliance with the requirements of this section and any conditions of approval and upon payment of the prescribed fee. A permit fee shall be required for each outdoor sales event.

(Ord. No. 1990-26, § 1, 9-18-90; Ord. No. 1991-3, 2-5-91; Ord. No. 1991-21, § 1, 10-8-91; Ord. No. 1994-29, § 1, 8-26-94; Ord. No. 1996-21, § 1, 7-16-96)

Sec. 18-78. - Certain businesses exempt from requirements.

The businesses listed below shall be exempt from the requirements for outdoor sales and displays set out in [section 18-77](#). No business listed below shall expand beyond the areas described for existing outdoor sales or displays, unless such expansion complies with the applicable requirements of this article and the land development code of the city (Ord. No. 1990-33). Any business not listed below may apply to the administrative official, as defined in the land development code, for inclusion on the list within one year after the effective date of the ordinance from which this amended section is derived. The administrative official shall make recommendations to the city council concerning each application, and the city council shall approve or deny the recommendations of the administrative official for inclusion on the list below. In reviewing an application, the administrative official and the city council shall consider the length of time and the extent that the business has used the site for outdoor sales

and displays which are not part of an approved site plan prior to the effective date of the ordinance from which this amended section is derived.

Name of business/address	Location and type of outdoor display/sales
Volusia Contractors 1051 Herbert Street	<i>Concrete area</i> —chain saws, lawn tractors, weed cutters, lawn mowers, small utility trailers.
Twin Oaks Mower Sales 920 Herbert Street	<i>Concrete porch/directly in front of porch</i> —lawn tractors, riding lawn mowers, rototillers, mulching machines, lawn mowers.
Bee Line Rental 600 Herbert Street	<i>Grass area</i> —various open trailers, ladder display rack, log splitters, car top carriers.
	<i>Paved area</i> —U-haul trucks, closed trailers.
	<i>Concrete area in front</i> —cement mixers, wheel barrows, trailer hitch display.
Daytona Rent-All 3670 Ridgewood Avenue	<i>Paved area</i> —lawn mowers, fertilizer spreaders, seed spreaders, barbeque trailer, small backhoe.
	<i>Grass area along Charles Street</i> —Ryder rental trucks.
Port Orange Mower 3921 Ridgewood Avenue	<i>Concrete area in front</i> —assorted lawn mowers and lawn tractors.
Western Auto/Bob's Bike Shop 3855 Ridgewood Avenue	<i>Sidewalk in front</i> —bicycles, 3-wheel bicycles.
Discount Hardware 4611 Ridgewood Avenue	<i>Concrete area in front</i> —assorted lawn tools, rakes, shovels, hoes, assorted ladders (step and extension), fertilizer spreaders, seed spreaders.
Lacey's Screen Printing 503 Herbert Street	<i>Paved area in front of rollup door</i> —one rack of T-shirts.

(Ord. No. 1990-26, § 1, 9-18-90; Ord. No. 1991-2, ex. A, 2-5-91; Ord. No. 1994-13, § 1, ex. A, 4-26-94)

Secs. 18-79—18-95. - Reserved.

FOOTNOTE(S):

⁽²⁰⁾ Land development code reference—Roads and vehicular use areas, ch. 12. ([Back](#))

Section 1: - Accessory uses and structures.

- (a) *In general.* Specific accessory uses and structures shall comply with the following regulations.
- (b) *Principal use and/or principal structure required.* Accessory uses and structures shall:
 - (1) Be customarily incidental to the principal use established on the same lot;
 - (2) Be subordinate to and serve such principal use;
 - (3) Be subordinate in area, extent and purpose to such principal use; and
 - (4) Contribute to the comfort, convenience or necessity of users of such principal use.No accessory structure or use shall be permitted on any lot which does not have an established principal use conforming to the requirements of this code. No accessory structure shall be permitted on any lot which does not have a permitted principal structure.
- (c) *General provisions.*
 - (1) Outdoor storage shall be prohibited, except as specifically permitted herein.
 - (2) Signs, fences, walls, parking and loading areas, and other such features which are typically located within required yard areas shall comply with the applicable provisions of this code for such uses and structures.
 - (3) Any specific accessory use or structure which is not addressed within this chapter shall not be located on any lot.
- (d) *Size limitations.* Any residential accessory structure in a residential zoning district shall be required to comply with the following conditions:
 - (1) The size of the accessory residential structure shall not cause the building coverage on the lot to exceed the maximum building coverage established for the zoning district;
 - (2) In the event that this code does not establish a maximum building coverage for a zoning district, the maximum building coverage shall be based on the most similar zoning district, as determined by the administrative official;
 - (3) The accessory residential structure shall not be located within any required yard, unless otherwise permitted by this chapter. Additionally, no accessory residential structure shall be permitted in the front yard, unless specifically permitted by this code;
 - (4) No accessory residential structure shall be used as a guest house, apartment, or other residential quarters, unless otherwise permitted by this code; and
 - (5) No accessory residential structure shall be used in any manner for a home occupation, except for the storage of customary homeowner tools and equipment.
- (e) *Outside storage.* Outside storage of new and used equipment and materials shall be regulated as follows.
 - (1) *Residential uses.*
 - (a) Outside storage of materials and equipment shall be restricted to the rear yard area and screened by an opaque fence or hedge so that such materials are not visible from any public right-of-way or adjoining lot.
 - (b) Materials and equipment such as appliances, unlicensed or inoperable motor vehicles, motor vehicle parts, and equipment and materials used as part of a business conducted off-site shall not be stored outside. This prohibition shall

not apply to licensed and operable motor vehicles, boats, recreational vehicles and other such vehicles which are merely being parked on-site. However, such vehicles shall be subject to other provisions of this code, such as those relating to driveways, which may regulate or restrict their location on site.

- (2) *Office uses.* Outside storage of equipment or materials shall not be permitted for office uses.
- (3) *Commercial uses.* Outside storage of equipment and materials shall be permitted only when associated with a commercial use. Additional restrictions are specified below.
 - (a) Display of landscape or garden supplies, outdoor recreational equipment, and lawn equipment shall be located in designated areas approved for such display as part of a development plan.
 - (b) Display of new and used motor vehicles, boats, recreational vehicles, mobile homes and other such vehicles shall be located in designated areas approved for such display as part of a development plan.
 - (c) Storage of licensed and operable motor vehicles, boats, recreational vehicles, tractor trailers, storage trailers and other such vehicles shall be located in designated areas approved for such storage as part of a development plan and out of view from any abutting rights-of-way, private streets, waterways and residential uses. For sites without an approved development plan otherwise operating in compliance with this code, storage of such vehicles shall be located on a part of the site out of view from any abutting rights-of-way, private streets, waterways and residential uses.
 - (d) Display setups of products customarily used out of doors such as pools, spas, lawn furniture, concrete fixtures and other similar items shall be limited to one of any one product or model.
 - (e) Outdoor display and/or storage may be permitted in conjunction with special sales events such as those permitted under section 18-77, Code of Ordinances, and other uses when permitted by special exception or approved as part of a development plan.
 - (f) Licensed and inoperable motor vehicles awaiting repair may be stored within screened areas on the site of motor vehicle repair facilities and motor vehicle service centers, provided that no such vehicle shall be stored for more than 28 consecutive days.
- (4) *Industrial uses.* Outside storage of equipment or materials shall be permitted for industrial uses, when in compliance with the following requirements.
 - (a) All storage areas shall be enclosed by an opaque wall, fence or landscaping of sufficient maturity, density and height to screen such areas from any public right-of-way or adjoining property.
 - (b) All equipment or materials shall be secured, if necessary, to withstand winds.
 - (c) Screening shall not be required around storage areas for operable motor vehicles and landscape materials.
 - (d) No licensed and inoperable motor vehicles shall be stored for a period exceeding 28 consecutive days within screened areas on the site of motor vehicle repair facilities and motor vehicle service centers.
- (f) *Atypical lots.* The atypical lot requirements are intended to preserve and protect views to significant natural and human-made features within the city. These features include, but are not limited to the Halifax River, bodies of water 100 feet or more in width, golf courses and

subdivision dedicated common open spaces 100 feet or more in width. The atypical lot provisions are not intended to apply to subdivision common areas that are utility or gas easements, or that function as buffers between adjacent roadways or neighboring subdivisions.

The administrative official shall have the authority to determine whether the atypical lot provisions are being applied as intended in situations where utility easements are greater than 100 feet in width, or in situations where the common area width varies. However, in these situations, if the administrative official determines the subject property shall be defined as the atypical lot, the atypical lot provisions shall be enforced, unless a formal variance is obtained in accordance with [chapter 19](#) of this code.

Section 3(b)(2) and Section [5](#)(b) of this chapter lists the structures that are prohibited from being located within the required rear yard of an atypical lot.

(Ord. No. 1993-58, 1-18-94; Ord. No. 1995-43, § 77, 12-19-95; Ord. No. 1999-6, § 35, 2-23-99; Ord. No. 2001-84, § 2, 10-16-01)

Sec. 5.6. - Supplementary regulations.

Regulations under this section shall apply to all zoning districts and to all buildings, structures, and uses of land or water in all zoning districts except as may otherwise be provided in the following regulations:

- A. *Accessory uses and structures.* Specific uses and structures, except for fences and walls, which are covered under a separate section of this Code, shall be additionally governed by the following regulations:
1. *Setback encroachments for uses and structures other than sheds.* No accessory use or structure shall be located in any required front yard or in any required side or rear yard except as provided for below:
 - a. Accessory structures may be located no closer than five feet from the rear property line.
 - b. Air conditioner compressors may extend three and one-half feet into a required yard. In no case should this encroachment exceed 50 percent of the required setback.
 - c. Roof overhangs may extend three feet into a required yard. In no case should this encroachment exceed 50 percent of the required setback.
 - d. Structures which are not enclosed by walls or roofs may be allowed in any required side or rear yards as long as a minimum distance of five feet from the lot line is maintained, except that driveways, concrete pads, sidewalks, etc. may be closer than five feet from the lot line if the chief building official determines that proper drainage can be maintained.
 - e. In all residential districts, the height of accessory structures shall not exceed 15 feet.
 2. *Setback encroachments and number and size limitations for sheds.*
 - a. No shed shall be located in the front yard or side corner yard of a residential property.
 - b. A shed may be located in the rear yard but no closer than five feet from the rear property line.
 - c. A shed may be located in the side yard of a residential property provided that it does not encroach into the required side yard setback.
 - d. The number of sheds on a residential property is limited to two.
 - e. The combined total footprint area of all sheds, including existing ones, on a residential property shall not exceed 200 square feet.
 - f. Sheds in zoning districts other than residential shall not be located in the required front yard, side yard, or side corner yard.
 - g. No shed shall exceed 11 feet in height.
 - h. "Side corner yard" is defined as that portion of the yard behind the front yard that lies between the plane of the side of the house and the paved street which it faces.
 - i. "Side yard" is defined as that portion of the yard behind the front yard that lies between the side of the house and adjoining side lot line with the neighboring property.

- j. "Shed" is defined as any storage structure that is either attached to or detached from the principal structure and designed primarily for storage of small items such as yard equipment, tools, toys, bicycles etc., but the term does not include a garage designed for the storage of automobiles.
3. *Outside storage.* Outside storage of new and used equipment and materials shall be regulated as follows:
- a. *Commercial zones:* No outside storage of equipment or materials shall be allowed in commercial zones, with the following exceptions:
 - [1] Landscape or garden supplies in fenced areas approved as part of the commercial site plan.
 - [2] Display set-ups of products customarily used out of doors.
 - [3] Sidewalk sales - Sidewalk sales of new and used merchandise may be held in commercial zones under the following conditions:
 - a. Sidewalk sales by a business in front of its locale shall be allowed by permit from the community development department.
 - b. A sidewalk sales does not include a special event sale that extends beyond the sidewalk in front of the business; special event sales extending beyond the sidewalk shall only be allowed by special event permit.
 - c. A sidewalk sale will generally be considered a temporary promotional event to be allowed for no more that seven consecutive calendar days at a time and a total of 30 days per calendar year per business location. The interval between any two consecutive sidewalk sales at the same business location shall be at least seven consecutive days.
 - d. The sole exceptions to sidewalk sales as a temporary promotional event are:
 - (1) Sidewalk sale of fresh fruits and vegetables in front of a business that, as part of its regular operation, offers such produce for sale indoors; and
 - (2) Sidewalk sale of such products customarily used outdoors as landscape or garden supplies, lawn mowers, and similar items, so long as they are sold as part of the regular business operation. Such sidewalk sales shall be limited to the regular hours of the business.
 - e. Sidewalk sales shall be limited to private property and shall not be conducted on public right-of-way or public sidewalk.
 - f. Sidewalk sales activity must not impede pedestrian traffic; this means leaving at least approximately two and one-half feet of sidewalk open for pedestrian traffic.
 - g. With the exception of sidewalk sales of those items described in "d." above, sidewalk sales merchandise must be removed from the sidewalk at the close of business in the evening. Fruits and vegetables left outside overnight must be adequately covered and secured.
 - h. Permit required: A sidewalk sales permit from the community development department shall be required for each separate

temporary sidewalk sales period. The fee for this permit shall be \$10.00 per event period. This fee shall be in addition to that for any related sign permit.

- [4] *Other outside displays:* Temporary displays for products sold by the on-site business may be allowed by securing a permit from the CDD. Such sales may only be conducted for one week at a time, with a maximum of 30 days per calendar year. The area of display must be kept free of encumbrances/debris, not block pedestrian or vehicular access, and be secured from access during closing hours. The CDD may impose reasonable restrictions upon the applicant as is deemed appropriate to protect the health, safety and welfare of the community. The permit fee shall be \$10.00 per event period.
- b. *Industrial zones:* No outside storage shall be allowed in industrial zones, except under the following conditions:
 - [1] All storage areas shall be enclosed by an opaque wall, fence, or hedge sufficient to screen such storage from view from off-site.
 - [2] All material shall be secured, if necessary, to withstand winds.
 - [3] Required landscape areas along property lines shall be maintained on the exterior of storage screening walls.
 - [4] Screening shall not be required around storage areas for landscape plant material.
4. *Other outdoor special events.* Special outdoor events sponsored by businesses, other than those activities covered by "itinerant merchant," "sidewalk sales," car washes, fund-raisers by non-profit organizations, or other activities for which the City Code does not require city council approval, must either be approved or denied by either the city manager or the city council on a case-by-case basis with regard to obtaining a permit to hold the proposed special event. The city manager shall determine which such events will be referred to the city council. The number of such special events per business location shall not exceed one per calendar quarter unless otherwise approved for good cause by the city council on a case-by-case basis. These special event requests shall be reviewed by the community development director for his recommendation prior to consideration by the city manager or the city council. The city shall charge a non-refundable permit fee for this type of special event request, except that if the proceeds are to be used for charitable purposes, the permit fee shall be waived. The permit fee shall be in accordance with the following fee schedule:
 - a. Businesses possessing regular City of South Daytona Local Business Tax Receipt—\$25.00 fee.
 - b. Businesses, other than motor vehicle dealers having for sale more than 10 motor vehicles, not possessing regular City of South Daytona Local Business Tax Receipt—\$100.00 fee.
 - c. Motor vehicle dealers not possessing regular City of South Daytona Local Business Tax Receipt who have for sale more than ten motor vehicles—\$300.00 fee.
5. *Prohibited accessory structures.* Accessory structures shall be of the same building material, color, shape and dimension as the principal structure on the same property, unless the city manager or designee approves a variation. In reviewing a request for a variation the following will not be permitted:
 - a.

Any kitsch architecture (such as a building that does not resemble a typical structure), including but not limited to: structures or elements that resemble an exaggerated plant, fish, edible food, or other such items that resemble giant oranges, ice cream cones, dinosaurs, pet animals, or farm animals. This is not applicable to freestanding signs.

- b. Any structure that is inconsistent and/or incompatible with the surrounding structures. Examples of such structures would include but not limited to: Igloos, domes or geodesic domes, teepees, log cabins, western "false fronts", medieval castles, caves and other structures of a similar architectural oddity.
- c. Attached or detached Quonset-type or style accessory structure, usually defined as a self-supporting structure, typically in an "arch" or curved shape with no interior posts, trusses or support beams of any kind and the exterior sheeting forming the building.

All accessory structures, including sheds, located on a corner lot must be positioned behind the front plane of the principal structure on the adjacent lot(s).

- B. *Authority to enter upon private property.* The following representatives of the city in the performance of their duties under the provisions of this ordinance, may enter upon any land and make examinations and surveys as deemed necessary in the administration and enforcement of these regulations: any member of the LDRB; any member of the BOAA; and any member of the CEB; any authorized employee of the city.
- C. *Bufferyards.* In addition to required setbacks, landscaped bufferyards shall be developed between differing land uses based on this section. These requirements shall be deemed the minimum necessary to achieve compatibility between land uses. Bufferyards shall be developed by the more intense use based on existing contiguous uses, zoning, or land use plan designation, whichever is most intense.

- 1. *Land use intensity factor:*

TABLE 3. LAND USE INTENSITY

Land Use	Intensity Factor
Residential up through 5 units/acre	2
Residential from 6 through 10 units/acre	3
Commercial less than .50 ISR*	4
Commercial .50 - .65 ISR	5
Commercial .65 ISR or greater	6
Industrial less than .65 ISR	7
Industrial .65 ISR or greater	8

*Impervious surface ratio (ISR) - percentage of building and paved area. ISR measurement shall not include required bufferyards under this section.

- 2. *Bufferyard requirements:* Bufferyard requirements shall be determined by subtracting the intensity factor of the least intense use from that of the more intense use. Where

CITY OF ORMOND BEACH

FLORIDA

PLANNING

MEMORANDUM

TO: Chairman Thomas and Planning Board members

FROM: Steven Spraker, AICP, Senior Planner

DATE: June 7, 2012

SUBJECT: Discussion Item, Site Signage

INTRODUCTION:

Based on the April 3, 2012 City Commission workshop, Planning staff is seeking the input of the Planning Board in reviewing the regulations for site signage (monument and pole signage). The purpose of this discussion item is to present the discussion that the City Commission conducted and to obtain direction to determine if potential Land Development Code amendments regarding site signage should be pursued.

BACKGROUND:

The purpose of this discussion item is to determine if there is a desire to revise the current Land Development Code regulations site signage. The Land Development Code has two types of site signage, monument signs and pole signs. A key characteristic of monument signs is that the total height does not exceed an overall height of 7' with the copy area permitted to be 5' in height. Pole signs are typically signs with two sign poles that do not exceed a height of 20'. Pole signs can also include monument style signs that exceed 7' that are sometimes called ground signs.

The City Commission discussed site signage at the April 3, 2012 workshop (minutes include in EXHIBIT 1) and the following points were discussed:

1. Pole signs have change over time and can be aesthetically attractive. There was a belief that pole signs can be safer and more visible.
2. Belief that previous City Commissions desired monument signage along major entry roads and gateways throughout the City.
3. In the Downtown, signs should be on buildings and not on the site, as the form based code is implemented.
4. Monument signs on gateway areas work well, but they are so low it is difficult to read them. The City Commission requested that the Planning Board look at the issue of monument sign height and allow signs to be placed higher to increase readability.
5. Non-conforming signage and when the requirement for replacement would apply.

ANALYSIS: Below is a chart that shows the regulations for pole and monument signs and discussion points for each regulation. The LDC sections are included in EXHIBIT 2.

	Pole Signs	Monument	Discussion Points
Area allowed	<ul style="list-style-type: none"> • South Atlantic Avenue • US1 – south City limits to Melrose Avenue • Nova Road. • Orchard Street. • Industrial property not in Overlay districts (Andalusia Avenue, Parque Drive, Hull Road). • Any roadway not required by the monument sign standards. 	<ul style="list-style-type: none"> • Greenbelt and Gateway Preservation District (Granada Boulevard, Hand Avenue, Clyde Morris Boulevard, US1 – north of Melrose Avenue). • Downtown Overlay District (Granada Boulevard from Orchard Street to SR A1A). • B-1, B-9, B-10 (office zoning districts) regardless of street. • All residential zoning districts. 	<ol style="list-style-type: none"> 1. Pole signs are allowed in older commercial areas such as south US1, Nova Road, and South Atlantic Avenue. 2. The last major discussion regarding the location and appropriateness occurred with the 2004 Land Development re-write. The areas for pole and monument signs have not been amended in a number of years. 3. The City does not have an amortization schedule and only requires removal of non-conforming signs with a major change of use or destruction of a sign. 4. Pole signage allows a greater copy area ratio than monument signage. 5. Existing regulations seek monument signage over pole sign, such as in the Planned Development regulations.
Maximum Height	20 feet from site grade or crown of road, whichever is higher.	5 feet from site grade or crown of road, whichever is higher for copy with an additional 2' allowed for architecture and site address?	<ol style="list-style-type: none"> 1. There have been comments from several sources that the 5' limitation for copy for monument signs is too low and the height for copy should be raised. 2. Staff has found that 8' is a common height for several jurisdictions for monument signs. Examples are include on page 4.
Number allowed	<ul style="list-style-type: none"> • Non-corner lots – 1 • Corner & double frontage lots -2. • Multiple principle buildings – 1 per building, based on lot frontage. • Buildings over 20,000 square feet with at least 250 linear feet of lot frontage: 2 based on lot frontage. 	<ul style="list-style-type: none"> • Non-corner lots – 1 • Corner & double frontage lots -2. • Multiple principle buildings – 1 per building, based on lot frontage. • Buildings over 20,000 square feet with at least 250 linear feet of lot frontage: 2 based on lot frontage. • Developments over 50,000 square feet, 1 sign allowed per entrance. 	<ol style="list-style-type: none"> 1. The Code has experienced separate amendments over time that allows additional signs based on site conditions, including multiple principal buildings and size of the buildings. 2. The size of multiple signs determined by lot frontage.
Location requirements	<ul style="list-style-type: none"> • No closer than 5' to the property line; can be waived for non-conforming properties. • No closer than 15' to a sign located on another property. • No closer than 100' of another sign on the same site. • Not in the site visibility triangle 	<ul style="list-style-type: none"> • No closer than 5' to the property line; can be waived for non-conforming properties. • No closer than 15' to a sign located on another property. • No closer than 100' of another sign on the same site. • Not in the site visibility triangle 	<ol style="list-style-type: none"> 1. Staff is unaware of any issues related to the location requirements.
Design Requirements	<ul style="list-style-type: none"> • Sign structure required to be architecturally treated, including base and cabinet. Exempts I-1 zoned properties. • Maximum 6 tenant panels. • All tenant panels shall have same dimensions, material and color. • Site address required. 	<ul style="list-style-type: none"> • Sign structure required to be architecturally treated, including base and cabinet. Exempts I-1 zoned properties. • Maximum 6 tenant panels. • All tenant panels shall have same dimensions, material and color. • Site address required. 	<ol style="list-style-type: none"> 1. Staff is aware that property owners have desired more than 6 tenant panels.
Landscape required	<ul style="list-style-type: none"> • Landscape required based upon size of sign. • City Landscape Architect may approve alternative landscape design for monument signs based upon site conditions. 	<ul style="list-style-type: none"> • Landscape required based upon size of sign. • City Landscape Architect may approve alternative landscape design for monument signs based upon site conditions. 	<ol style="list-style-type: none"> 1. Staff is not aware of any concerns with the required landscaping for signage. Staff is aware of concerns of landscaping on other lots blocking sign visibility, such as what was discussed with the Ormond Beach Sports Complex. However, that is a separate issue regarding vacant lot.

Other jurisdictions regulations:

Monument Signs	Pole Signs
Daytona Beach	
<ul style="list-style-type: none"> Residential districts: Not to exceed 6' in height and 32 square feet. 	<ul style="list-style-type: none"> Signs shall not exceed 35 feet in height, unless specifically provided otherwise. Heights are calculated from natural grade. Signs in redevelopment areas shall not exceed the height of the building to which the sign relates. c) Ground signs along both sides of Clyde Morris Boulevard, along all streets west of Clyde Morris Boulevard excluding West International Speedway Boulevard east of I-95, and along all streets or portions thereof west of a line that is aligned with the centerline of Clyde Morris Boulevard as established south of Mason Avenue extended to the north city limits, shall meet the following additional standards: <ol style="list-style-type: none"> Maximum height for shopping center signs shall be 20 feet. Maximum height for all other uses shall be 15 feet. Signs more than eight feet in height shall be restricted to 50 percent of the maximum permitted sign area. Signs shall be landscaped. The landscape area shall be a minimum of five feet wide on each side of the base of the sign, and shall consist of living plant materials which completely cover the area. An automatic irrigation system for full coverage of the landscaping shall be provided. Three copies of landscape and irrigation plans as described in article 5, sections 4.10 and 4.13 must be submitted and approved before a sign permit is issued.
Daytona Beach Shores	
	<ul style="list-style-type: none"> RMF-RD, TOR-RD, GC-RD, TC-MUPUD: Sign area shall be no greater than one hundred (100) square feet per side. Sign height shall be no greater than twelve (12) feet. Signs shall not exceed ninety (90) degrees
	<ul style="list-style-type: none"> Shopping Center: One (1) ground sign, maximum surface limited to one hundred (100) square feet per side for a total not exceeding two hundred (200) square feet. Maximum height shall be thirty (30) feet measured from the ground to the highest point of the sign.
DeLand	
<ul style="list-style-type: none"> Emerging Gateway Overlay District: May not exceed 8 feet in height, including base, sign area, supporting structure, and/or architectural embellishments. 	<ul style="list-style-type: none"> Gateway Overlay District: May not exceed 12 feet in height, including base, sign area, supporting structure, and/or architectural embellishments. Redevelopment Gateway Overlay District: May not exceed 16 feet in height, including base, sign area, supporting structure, and/or architectural embellishments.
Deltona	
<ul style="list-style-type: none"> All freestanding signs shall be monument signs, except for those pole signs permitted in the Interstate Interchange Area as defined in Section 102-106. Maximum height = 8' Maximum sign area = 48 square feet on arterial roadways and 32 square feet on all other roadways 	<ul style="list-style-type: none"> Parcels of land located within the Activity Center area, as defined in the City's Comprehensive Plan, configured with no less than 300 feet of lot width coterminous with the principal arterial roadway rights of way may erect a freestanding pole sign along the arterial provided such sign does not exceed 75 square feet in area and 15 feet in height. Shopping centers: Maximum height of 15' Large venue electronic message signs and pylon signs area and height are regulated as follows: <ol style="list-style-type: none"> The maximum sign area shall be 685 square feet. The maximum height shall be 80 feet.
Port Orange	
<ul style="list-style-type: none"> Forty-eight square feet for sites on designated arterial roadways (Dunlawton Avenue, South Williamson Boulevard, Taylor Road, Clyde Morris Boulevard, Yorktowne Boulevard, Spruce Creek Road, Commonwealth Boulevard, Nova Road, Ridgewood Avenue, Madeline Avenue, and I-95); Thirty-two square feet for sites on all other roadways not listed above. 	<ul style="list-style-type: none"> Freestanding signs for complexes or multitenant building(s) - Maximum height of the sign face: 12 feet. Two additional feet in height shall be allowed above the sign face for architectural embellishments consistent with the building or complex, up to a total maximum sign structure height of 14 feet. I-95: maximum height of 15' and 200 square feet. Ridgewood Development District: Freestanding signs may be a maximum height of 14 feet. Signs between eight feet and 14 feet in height shall not exceed 32 square feet in sign area
Volusia County	
<ul style="list-style-type: none"> The sign regulations established in section 72-298 et seq. shall also apply in any thoroughfare overlay zone; provided, however, the maximum permissible height for any ground sign is eight feet, and the maximum permissible copy area for any ground sign is 40 square feet. 	<ul style="list-style-type: none"> <i>Application of regulations; P, B and I districts:</i> The following regulations contained in this subsection shall apply in the P, B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, I-1, I-2, I-3, I-4, BPUD and the commercial and industrial use area of the RPUD and MPUD classifications: The height shall not exceed 30 feet measured from finished grade to the highest point on the sign, except that signs in the B-6 zoning classifications shall not exceed 50 feet in height.

Examples of 8' monument signs



Example of ground signs higher than 8'



OTHER ASPECTS TO THE CITY SIGN REGULATIONS FOR SITE SIGNAGE:

1. Properties in unincorporated Volusia County along designated Greenbelt and Gateway Preservation District roadways are required to comply with the monument sign standards.
2. The Planned Business Development (PBD) process allows the negotiation of sign standards. Examples of the past PBD actions include :
 - a. Require monument signs where pole signs were allowed (North Orchard Business Center at 150 North Orchard Street, Courtyards at 135 North US1).
 - b. Allow additional tenant panels (Nova Shoppes at 175 South Nova Road).
 - c. Allow additional site signs and square footage of copy area (Tuscany Shoppes at 1185 West Granada Boulevard).
 - d. Allowed pole signs in the Downtown Overlay District (Granada Plaza – 125 East Granada Plaza).
3. Section 3-49, Master Sign Plan, was drafted to allow unique situations to undergo a Planned Development or Special Exception to vary the regulations of the sign Article. One criteria is the use of monument signage rather than pole signage. The Land Development Code does not allow sign variance.

POLICY CONSIDERATIONS: Balancing economic and aesthetic concerns in Ormond Beach is a difficult effort. Signs are just one of many factors that determine whether a business or commercial area will succeed or fail. The City's Greenbelt Corridor standards promote high-quality architecture and building materials with widen buffers and enhanced landscaping which when taken together all contribute to a well designed street with a high-finish environment where people are attracted and business can succeed. Granada Boulevard represents the best example but not the only example of being a gateway that makes a statement about Ormond Beach as a community. Ormond Beach also requires architectural standards but its landscaping, buffers and sign requirements are not as stringent on other commercial corridors such as US 1 South, Nova Road, and South Atlantic Avenue. Previous City Commissions understood not every commercial corridor was a gateway into the City and therefore higher standards were not needed. These distinctions among road corridors that past City Commissions made balanced the following three "needs":

1. The needs of a business to identify itself and attract customers;
2. The needs of a citizen to be able to locate a business and find a desired product; and
3. The needs of a community to create and/or preserve a visual environment that is in keeping with the professed preferences of its citizens and business community.

The issue that brought this subject to the City Commission at the April Workshop at first blush appears not to be one of sign area but sign type. However, pole signs in the analysis permits up to 120 square feet while monument signs permit up to 64 square feet – so the issue is about sign area and maximizing visibility. A common sense approach to sign regulation should recognize the consumer's need for information, the business's need to identify itself and to advertise its goods and services, and the community's demand for aesthetically pleasing commercial districts that enhance or at least do not detract from the desired character of the community. Where the City's sign code is concerned, the goal should be to give businesses the opportunity to have maximum success at their location by permitting signs to be placed where they will be seen by their intended audience while still respecting the aesthetic standards of the people of the community.

It is staff's opinion that the current sign ordinance which was amended in partnership with signage companies, business owners, and the Chamber of Commerce less than two years ago accomplishes the goal by meeting each of the three needs listed above. It is always easier to loosen the sign code and see change immediately (existing monument signs change to pole signs), however because the way nonconforming law is, it is harder to strengthen the code and see change immediately (existing pole signs to monument signs). It is staff's recommendation that no changes be made to the sign code that would tip the current balance and make recovery from decisions made to today decades into the future.

Staff does not believe that the allowance of a 8' monument sign height would negatively impact the aesthetic quality of the City. The 8' sign height would be a 3' height increase for copy area and a 1' overall height increase from the existing regulations. Examples of 8' monument heights are shown on page 4 of this document and this height is standard in Port Orange, DeLand (Emerging Gateway Overlay District), Volusia County (thoroughfare overlay zone), and was recently adopted in Deltona.

CONCLUSION: The City Commission desired to obtain feedback regarding site signage from the Planning Board and this is a discussion item. There is no recommendation for this item.

Exhibit 1

Site Signage

April 3, 2012 City
Commission Workshop
minutes

limitation.

Mr. Goss stated that they would keep the setback at 7.5 feet, and amend the height requirement to not exceed 18 feet. He asked whether the Commission preferred a hard or soft roof; whereby, the Commission stated that they preferred a hard roof.

Item 7: Sheds, Utility Structures and Gazebos

Mr. Goss stated that they eliminated the play structure from the sheds, utility structures, and gazebos. He stated that it would be added back based on the last discussion.

Item 8: Site Signs - Monument and Pole Signs

Mr. Goss stated that the Planning Board had not discussed this item at all. He noted that staff provided a chart showing where the city allowed pole signs and where they required monument signs. He stated that the question was whether or not the Commission wanted to revisit where types of signs were allowed and change any of the requirements from monument signs to pole signs.

Mayor Kelley stated that he had been a proponent of pole signs but felt like calling them all pole signs was like calling a manufactured mobile home a trailer. He stated that all pole signs were not created equal. He stated that there were beautiful examples of great pole signs in the city but acknowledged that there were also some that were awful. He stated that he felt that pole signs were safer and increased visibility. He stated that it was much more attractive and much more effective for the owner to have a pole sign to let people know where they were located. He stated that with monument signs you often had to look down on the edge of the road to see what was there.

Mr. Goss stated that pole signs could be pretty or ugly and it was tough to try and define the two.

Mayor Kelley stated that there could be design standards. He noted that Mr. Goss did not like pole signs or elevated signs.

Mr. Goss stated that was not necessarily true and he felt that there was a proper place for pole signs and a proper place for monument signs. He stated that he thought that the Commission, many years ago, prior to his employment with the city, wanted monument signs at least in the gateway and entrance ways to the city.

Mayor Kelley stated that not all of them had agreed, but it had passed.

Ms. Shanahan stated that was why they were revisiting the issue, to see if they had a different direction for staff.

Commissioner Stowers stated that to the extent that all pole signs were not alike he agreed with the Mayor. He stated that all the new directional signage and parking signage throughout downtown were on top of poles and were beautiful. He stated that the challenge was getting only high quality pole signs. He stated that the monument signs in the primary gateways had a consistency element that was aesthetically pleasing. He stated that he tended to think that downtown had a different vibe than driving through the gateway areas.

Commissioner Boehm stated that the memorandum said that the current ordinance had

been amended less than two years ago and that the Commission had approved it. He inquired who was driving the desire to change it presently. He asked whether there had been any complaints.

Ms. Shanahan stated that someone had come forward about a sign and there had been some exploration of gateway entrance signage.

Ms. Dorian Burt, audience member, stated that downtown adhered to the form based code and had brought the buildings up. She stated that in some places there was no room for a monument sign so there would need to be options such as allowing a sign to be off the building.

Mr. Goss stated that he felt that there should not be pole or monument signs in the downtown area and that there should be signs on the buildings.

Commissioner Partington stated that he liked the monument signs on the gateway areas. He stated that he liked the way that Port Orange's monument signs looked at the entrance on Dunlawton Avenue. He stated that he would like to see some higher monument signs because some of them were so low to the ground that it made it difficult to see them. He stated that even if those particularly low signs were raised a few feet it would make a big difference. He stated that he was satisfied with the pole signs being allowed in certain areas and agreed with Mayor Kelley and Commissioner Stowers about creating standards so that all pole signs were as aesthetically pleasing as the way finding signs recently erected.

Mayor Kelley stated that they should be able to establish options or guidelines for any pole sign to meet certain standards.

Commissioner Boehm asked if there were already standards. He stated that he was still having trouble understanding why this issue was being discussed since the ordinance was in place, appeared to be working, and had been recently dealt with. He asked whether or not the Commission wanted to make any changes.

Ms. Shanahan stated that staff wanted them to have a discussion.

Mayor Kelley stated that if Commissioner Boehm wanted to leave the code the way it was, he was entitled to that opinion.

Commissioner Boehm stated that he wanted the Planning Board to give the Commission their opinion.

Mayor Kelley stated that the idea was to give the Planning Board some direction from the Commission.

Ms. Shanahan stated that they needed to let the Planning Board know whether or not they wanted pole signs or if they wanted them to have a certain design characteristic that was more than what they already had. She stated it was a broad area and needed some focus.

Mayor Kelley stated that the monument sign height limit was five feet above the crown of the road.

Mr. Spraker stated that oftentimes when people came in they did not realize the difference between the crown and the grade. He stated that with Chase Bank they had some difficulty in having to raise the sign to the crown of the road. He stated that one of the options the Commission had was to increase the height. He stated that if it was amended to seven feet instead of five feet, it would provide a larger sign area.

Mayor Kelley stated that he felt a sign should be there for its intended purpose, which was to give people the ability to read it. He stated that stop signs were not five feet and were up where you could see them. He stated that on Granada Boulevard he doubted that there were very many monument signs, unless they were on elevated areas, which were five feet above the crown of the road. He stated that there was an abundance of small monument signs and if they were placed on pillars three or four feet taller they would look better and be more visible. He stated that if the beautiful new airport sign, that was recently put up for the sports complex, was just two or three feet taller it would have made a huge difference and you would not have to look down at it. He stated that he was probably the one "driving the stagecoach" and if everyone else was satisfied with the current provision he would accept that. He stated he felt that the Planning Board should look at the issue.

Commissioner Kent stated that he was in agreement with Commissioner Partington and stated that he was comfortable with where they allowed pole signs. He stated that the monument signs were actually rather attractive but he stated that when you were new to an area and looking for a business it was easier to see a pole sign. He stated that his issue with the monument signs was the vegetation that was growing around them and he asked whether the city was requiring the owners to plant it. He stated that some of the plantings looked horrible and he would be angry if it was his sign and he had to put plants there that covered up a quarter of the sign. He stated that plants were fine on either end of the sign but not in the middle.

Commissioner Kent stated that he had a comment about the beautiful sign at the sports complex. He stated that he initially had said they needed to mow 15 to 20 feet in front of the sign and actually now he felt it needed to be 50 to 75 feet up to the length of the property, even if they had to buy that piece of property. He stated that he had almost missed it numerous times driving up from the south even though he has lived in the area his whole life. He stated that the sign was covered by trees.

Mayor Kelley stated that if the sign was four feet taller, you would be able to see it.

Commissioner Kent stated that visibility of the sign would increase if that area was cleared out or if the sign was brought out more. He stated that he wanted to talk about moving that sign out further towards the road at some point. He stated that the city spent a lot of money and effort on that area and to him that sign was broken because of vegetation.

Ms. Shanahan stated that the Florida Department of Transportation (FDOT) was part of the issue with where they could put that sign, as well as what property the city actually owned. She stated that she understood Commissioner Kent's feelings.

Mayor Kelley stated that on the topic of landscaping and plants, two pillars holding a sign can have landscaping underneath, on the side, or even in a bed around it that did not block the sign. He stated that was why he said it would be better to raise the signs.

Commissioner Kent stated he was not against raising the monument signs, but he

was averse to changing them to all pole signs. He stated that he was in favor of removing the vegetation around them.

Mr. Goss asked if the Commission would consider raising the height limit to seven feet on a monument sign.

Commissioner Boehm suggested it be revisited in a workshop with the Planning Board.

Mayor Kelley stated that they were in a workshop now and were to send the Planning Board what their thoughts were.

Commissioner Kent stated that he agreed with Commissioner Boehm and stated that he did not want to do the job of the Planning Board.

Commissioner Boehm stated that he could not envision what these changes would look like. He stated that he had no plans, no pictures, and no examples. He stated that he felt the Commission was being asked to change something and believe it would work without any further study.

Mayor Kelley stated that it would be going to a workshop and not voted on by them.

Ms. Shanahan stated that any amendments would be in a very preliminary stage at this point and staff was asking for the Commission to give guidance which would then be sent to the Planning Board for their ideas. She stated that staff would then draw up regulations to bring back before the Commission.

Commissioner Boehm stated that staff had studied other communities and what they allowed with the boathouses and the other issues. He stated that he assumed that staff could look into what other communities in the area had in the way of signs and find out if there was some sort of alternative in terms of raising monument signs or having some sort of lower pole signs and then maybe they could show some pictures or information to the Planning Board.

Mayor Kelley stated that he was going to create that but did not have time.

Ms. Shanahan stated that it had been a good discussion and she could take the information she heard from them today and work up some options and discuss it with the Planning Board. She stated that before this Workshop she did not know where they were on the issue. She stated that now they had general direction they could work with.

Commissioner Kent stated that the way finding signs looked fantastic. He asked if they would like to discuss possibly in the downtown district, if a business did not have a good location for a sign, allowing a sign like that for them.

Mayor Kelley stated that he felt that the idea of allowing it on the building itself might work more. He stated that on the streetscape area in some places in a stretch of 50 feet there were six trees.

Ms. Burt stated that a sign like that might be nice in front of the gas station since she would have to take their old signage out.

Mayor Kelley stated that sign was grandfathered in and that she did not have to remove it; whereby Ms. Burt stated that since the property had not been in use for six months it

would have to be removed.

Mayor Kelley stated that a monument sign could not go there because it was a safety issue as it would obstruct traffic and that the Commission had voted on that issue in 1996.

Commissioner Kent stated that the Shell gas station that moved across the street had a monument sign.

Ms. Burt asked if the downtown district could be pulled out of the sign regulations and have their own.

Mr. Spraker stated that the existing property in question was nonconforming because it had been vacant longer than six months. He stated that once a business tax receipt was obtained it would have to go back to the Site Plan Review Committee. He stated that part of bringing the property up to code would be removing the non-conforming signage. He stated that the signage did not have to go back in that same place and could be moved to the middle of the property where you may or may not have the obstruction issue.

Mayor Kelley stated that the Commission had decided that it was a safety issue and there was an exemption in the code.

Mr. Spraker stated that exemption was no longer in the code. He stated that there was a process to go to a public hearing to get a pole sign.

Mr. Goss stated that you would put the monument sign at the corner where it would not block visibility because at a signalized intersection you would not be going against the light.

Mayor Kelley asked about turning right on red.

Mr. Goss stated that if you were coming in east on SR-40 you would take a right in and then you would go out at the intersection. He stated that if you were coming west, there was a median and you would have to make a left at the intersection. He stated that the dynamics had completely changed since seven years ago and you now could have a monument sign at the other end.

Mr. Stowers stated that he agreed with Ms. Burt about having something that exempted the downtown district. He stated that the experience in downtown was different than driving through west Granada Boulevard. He stated that the uses were different and it was form based code. He stated he would like increased flexibility for downtown businesses to use either option or a sign directly on or off the building.

Outdoor Activity and Outdoor Storage

Mr. Goss stated that the city permitted outdoor activities, which included outdoor music or displays of products for sale. He stated that it was done by special exception. He stated that staff had provided information on the process, the cost, and a special exemption was required. He stated that if the Commission wanted to alter those conditions they could change it from a special exception to a conditional use or a permitted use, subject to criteria.

Mayor Kelley stated that he wanted to work with the residents and businesses within the

Exhibit 2

Site Signage

Section 3-47.b
(monument signs) and
Section 3-48.c
(pole signs)

SECTION 3-47: SITE IDENTIFICATION SIGNS: All signs shall be located on the property which they identify. Such property shall include the lot frontage of any premise under single ownership or developed as a single site for purposes of meeting setback, buffer, land area or other dimensional requirements of this Code and subject to the following:

A: Planned Development/Special Exception: Alternative site identification signage may be approved by the City Commission through Planned Developments and Special Exceptions.

B: Monument Signs:

1. Monument Sign Required:

- a. Monument signs shall be the only type of site signage allowed in these areas:
 - (1) Greenbelt and Gateway Preservation District.
 - (2) Downtown Community Redevelopment Area.
 - (3) B-1, B-9, and B-10 zoning districts.
 - (4) All residential zoning districts.

2. Maximum Height Limit:

- a. Five feet (5') in height as measured from site grade or crown of the road, whichever is higher.
- b. An additional two feet (2') on top of sign is allowed for site address and architectural embellishments and shall not permit any additional sign copy area. This area shall not count as part of the total sign square footage.

3. Maximum Number:

- a. Non-corner lots: One (1) sign.
- b. Corner & Double Frontage Lots: Two (2) signs. The sign area shall not exceed 150% of allowable area of principle frontage from which the site is addressed. There shall be only one (1) sign per frontage and no sign shall be less than 30 square feet. The Planning Director may approve alternative locations [two (2) signs on one (1) frontage provided there is no impact to residential uses].
- c. Multiple Principal Buildings: One (1) sign per building based on allowable sign copy area of linear lot frontage of the parcel.
- d. Buildings over 20,000 square feet and with more than 250 linear feet of frontage or more: Two (2) signs based on the allowable sign copy area of linear lot frontage of the parcel.
- e. For developments over 50,000 square feet, one sign shall be permitted for each entrance.
- f. Where multiple signs are allowed on a property:
 - (1) A master sign plan is required.
 - (2) Each sign's square footage shall be based upon the amount of lot frontage allocated to the sign.
 - (3) No sign shall be located within 100' from another site sign on-site.
 - (4) All signage shall be coordinated in color, style, and lettering.

4. Maximum Copy Size Limit:

Based on lot frontage from where the site is addressed from.

Linear Frontage* (in feet)	Square Footage (SF)
Up to 100	30
104	31
108	32
112	33
116	34
120	35
124	36
128	37
132	38
136	39
140	40
144	41
148	42
152	43
156	44
160	45
164	46
168	47
172	48
176	49
180	50
184	51
188	52
192	53
196	54
200	55
204	56
208	57
212	58
216	59
220	60
224	61
228	62
232	63
236	64

*gaps in lot frontage shall use higher square footage.

Example: 182 feet of lot frontage equals 51 square feet of sign area.

5. Location Requirements:

- a. No closer than five feet (5') from the property line as measured from the leading edge of the sign. For existing non-conforming sites, the Planning Director may approve alternative setbacks based on existing site conditions.
- b. No closer than 15' sign located on another property.
- c. No closer than 100' of another site sign on the same site.
- d. Shall not be located to cause a vision problem for vehicles, including within a 20' site visibility triangle of two intersecting streets.

6. Design Requirements:

- a. The sign structure shall be consistent with the principal building with regards to architectural style, materials and colors. This shall include the sign base, sides, and top of the sign cabinet. Properties zoned I-1 shall not be required to provide architecturally treated sign structures.
- b. There shall be a maximum of six (6) tenant panels.
- c. All tenant panels shall have same dimensions, material and color and be approved as part of a master sign plan.
- d. All signs must provide location address on each side of the side in a font no less than six inches (6").

Figure 6-1: Monument Sign Example

Site address on each side Coordinated tenant panels Maximum 6 tenant panels

Architecturally treated sign base, sides, and top of sign cabinet

Landscaping around sign



7. Landscape Required:

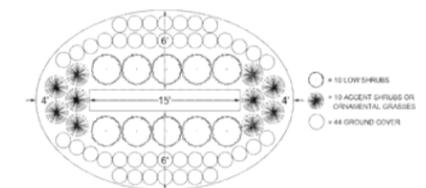
a. Required landscape area:

Sign Length	Landscape Area (SF)	Sign Length	Landscape Area (SF)
Up to 6'	140	13'	252
7'	150	14'	264
8'	160	15'	276
9'	170	16'	288
10'	216	17'	350
11'	228	18'	364
12'	240	19'+	378

- b. The quantity of plant material (ground cover and/or shrubs) in the landscape area shall equal the square footage of the copy area of the sign.
- c. There shall be a minimum of two (2) types of plant material. All material shall be a minimum size of one (1) gallon.
- d. The City Landscape Architect may approve alternative landscape design for monument signs based upon site conditions.
- e. Irrigation is required. The City Landscape Architect may allow alternative standards for signs without reasonable access to irrigation.

Figure 7-1: Landscape Example:

- a. 15' long sign – requires 276 square feet of landscape area.
- b. 64 SF sign requires 64 plant materials.
- c. Requires 2 different types of plant material.



Plant Type	Examples
Low Shrubs	Dwarf Yaupon Holly, White Indian Hawthorn, Parsonii Juniper.
Accent Shrubs	Blueberry Flax Lily, White African Iris, Dwarf Pampas Grass.
Ground Cover	Society Garlic, Aztec Grass, Dwarf Mexican Bluebell.

C. Pole Signs:

1. **Maximum Size Limit:** Based on lot frontage from where the site is addressed.

Linear Frontage	Square Footage	Linear Frontage	Square Footage
Up to 100	40	360	96
110	44	370	97
120	48	380	98
130	52	390	99
140	56	400	100
150	60	410	101
16-	64	420	102
170	68	430	103
180	72	440	104
190	76	450	105
200	80	460	106
210	81	470	107
220	82	480	108
230	83	490	109
240	84	500	110
250	85	510	111
260	86	520	112
270	87	530	113
280	88	540	114
290	89	550	115
300	90	560	116
310	91	570	117
320	92	580	118
330	93	590	119
340	94	600	120
350	95		

*Gaps in frontage shall use higher square footage.
Example: 345' of lot frontage equals 95 SF of sign area

2. Maximum Height Limit:

- a. Twenty feet (20') in height as measured from site grade or crown of the road, whichever is higher.
- b. There shall be a minimum clearance of 9' between the finished grade and the bottom of the sign if the sign extends over a street right-of-way, sidewalk or drive.

3. Maximum Number:

- a. Non-corner lots: One (1) sign.
- b. Corner & Double Frontage Lots: Two (2) signs. The sign area shall not exceed 150% of allowable area of principle frontage where the site is addressed from. There shall be only one (1) sign per frontage and no sign shall be less than 30 SF. The Planning Director may approve alternative locations (two (2) signs on one frontage) provided there is no impact to residential uses.
- c. Multiple Principal Buildings: One (1) sign per building based on allowable sign copy area of linear lot frontage of the parcel.
- d. Buildings over 20,000 square feet and with more than 250 linear feet of frontage or more: Two (2) signs based on the allowable sign copy area of linear lot frontage of the parcel.
- e. Where multiple signs are allowed on a property:
 - (1) A master sign plan is required.
 - (2) Each sign's square footage shall be based upon the amount of lot frontage allocated to the sign.
 - (3) No sign shall be located within 100' from another site sign on-site.
 - (4) All signage shall be coordinated in color, style, and lettering.

4. Design Requirements:

- a. The sign structure shall be consistent with the principal building with regards to architectural style, materials and colors. This shall include the sign base, sides, and top of the sign cabinet. Properties zoned I-1 shall not be required to provide architecturally treated sign structures.
- b. There shall be a maximum of six (6) tenant panels.
- c. All tenant panels shall have same dimensions, material and color and be approved as part of a master sign plan.
- d. All signs must provide location address on each side of the sign in a font no less than six inches (6").



Figure 4-1:
Pole Sign Example

Architecturally treated sign base, sides, and top of sign cabinet.
Site address on each side.
Landscaping around sign.

5. Location Requirement:

- a. No closer than five feet (5') from the property line as measured from the leading edge of the sign. For existing nonconforming sites, the Planning Director may approve alternative setbacks based on existing site conditions.
- b. No closer than 15' to a sign located on another property.
- c. No closer than 100' of another site sign on the same site.
- d. Shall not be located to cause a vision problem for vehicles, including within a twenty feet (20') site visibility triangle of two intersecting streets.

6. Landscape Required:

a. Required landscape area:

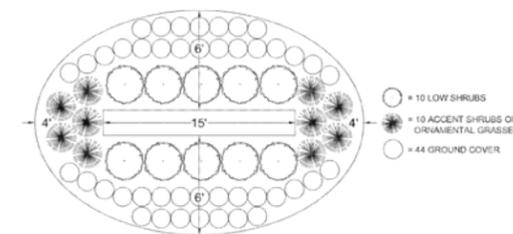
Sign Length	Landscape Area (SF)
Up to 6'	140
7'	150
8'	160
9'	170
10'	216
11'	228
12'	240

Sign Length	Landscape Area (SF)
13'	252
14'	264
15'	276
16'	288
17'	350
18'	364
19'+	378

- b. The quantity of plant material (ground cover and/or shrubs) in the landscape area shall equal the square footage of the copy area of the sign.
- c. There shall be a minimum of two (2) types of plant material. All material shall be a minimum size of one gallon.
- d. The City Landscape Architect may approve alternative landscape design for monument signs based upon site conditions.
- e. Irrigation is required. The City Landscape Architect may allow alternative standards for signs without reasonable access to irrigation.

Figure 7-1: Landscape Example:

- a. 15' long sign – requires 276 square feet of landscape area.
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Low Shrubs	Dwarf Yaupon, Holly, White Indian Hawthorn, Parsonii Juniper.
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Ground Cover	Society Garlic, Aztec Grass, Dwarf Mexican Bluebell.

City of Ormond Beach Commercial Development Report - June 7, 2012

#	Project	Description	Appli- cation Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Advisory Board	City Commis- sion	Final Approval	DO Expiration	LDC Extension Expiration	2009 SB Expiration	SB 2156 Expiration	HB 7207 Expiration	Building Permit Info	Building Permit Value	Eng. Permit	Clearing Permit	Under Construct ion	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
1	121 EAST GRANADA BOULEVARD -CONCEPT 121 East Granada Boulevard #12-90	Redevelop site for urgent care use, expand building by 2,316 square feet, and site improvements	05.01.12	CONCEPT 05.14.12																			E = Parker Mynchenberg & Assoc O = Dr. Batniji ARC = BPF Design
2	400 CLYDE MORRIS BOULVERARD 400 Clyde Morris Boulevard 07-1240	Minor Modification to approved site plan for 2 office buildings (9,384 and 7,671 SF)	12.26.07	01.16.08	04.01.08				NA	NA	06.19.08	06.19.10	06.19.11	06.19.13	NA	06.14.15	Not Applied						E = Harpster Engineering O = Ormond Medical Arts ARC = BPF Design
3	ANDY ROMANO OCEANFRONT PARK 839 South Atlantic Avenue 12-01	Construct public oceanfront park including parking, stormwater, recreational amenities, and landscaping.	10.04.11	10.18.11	01.24.12				11.10.11 Approved	02.07.12 & 02.21.12	03.21.12	Under Const.				Approved 05.24.12		Approved 05.24.12	Approved 05.24.12	2%		E = Zev Cohen and Associates, Inc. O = City of Ormond Beach ARC = DJ Designs, Inc.	
4	AMERICAN LEGION - POST 267 1142 North US Highway 1 11-105	Redevelop existing building into an American Legion, including building and site improvements	08.23.11	09.06.11	11.01.11	03.13.12					04.05.12	04.05.14										O = American Legion, Post 267 E = Daniel Johns, P.E. ARC = Stan Holle	
5	ATLANTIC CENTRAL ENTERPRISES 14 West Tower Circle 08-25000008	New 26,500 +/- SF Industrial Warehouse/Office	04.08.08	04.22.08	06.10.08			2316	NA	NA	07.03.08	07.03.10	None	07.03.12	NA	07.03.14	Not Applied					O = Atlantic Central Enterprises A = Steve Traulson E = W.A. Cross Engineering, Inc	
6	BETNR HANGERS @ OB AIRPORT 85 Hanger Way 10-00000036	Phased construction of three buildings (1: 1,000 SF office, 5,300 SF manufacturing, 6,300 SF hanger) (2: 1,600 SF office, 10,500 SF hanger) (3: 4,800 Warehouse)	12.08.09	12.22.09	02.09.10				NA	NA	03.22.10	03.22.12				03.22.14	Not Applied					E = McKim & Creed A = BETNR ARC = BPF Design	
7	BROWN/THOMPSON COMMERCIAL 1287 West Granada Boulevard 08-25000037	2 Buildings = 18,992 Square Feet	12.01.08	12.16.08	01.04.11	06.07.11			Approved 07.14.11	Approved 09.06.2011 - Ord 11-31												E = Danny Johns O = Brown/Thompson ARC = Robert Hall	
8	CAPITAL TELECOM 610 South Yonge Street 12-69	Construct a 150 foot camouflaged telecommunications tower.	02.29.12	03.20.12	06.19.12																	E = AllPro Consulting Group O = Ormond Beach LLC, PTA - SI 908 APP = Capital Telecom	
9	CARDINAL DRIVE LIFEGUARD STATION 301 Cardinal Drive 11-23	Demolish existing structure and build new lifeguard station with public restrooms and expand parking.	02.22.11	03.08.11	05.25.11				NA	NA	06.27.11	06.27.13					Not Applied					E = Alann Engineering Group O = County of Volusia ARC = DJ Designs, Inc.	
10	COURTYARD PBD 135 N. US1 (between Highland and Dix) 07-1243	12,000 Square Feet Retail (Dollar General complete) and 16 MF units	01.04.08	02.04.08	12.01.08	02.17.09			04.09.09 PB	06.02 CC Ord 09-17	06.12.09	Site plan vested w/ Phase 1	Not Applied	NA	NA	PBD/PRD, ph.2 06.02.14	Not Applied					E = Daniel Johns, P.E. O = Ormond Central Market Place ARC = Richard Brookfield	
11	DODSON CREEK OFFICES 823 North US Highway 1 11-101	Modification to site plan for project under construction	08.09.11	08.23.11	10.11.11						10.25.11	Under Const.									98%	O = L-J Building Enterprises, Inc. E = Anderson-Dixon, LLC	
12	JIMMY JOHNS 2 South Perrott Drive 12-81	Demolition of existing on-site building and construction of new buildings and associated site improvements	04.10.12	04.25.12	05.25.12						Pending											E = Parker Mynchenberg & Assoc O = Brent Triebel ARC = Ben Butera	
13	McNAMARA WAREHOUSE 480 Andalusia Drive 11-13	4,580 square foot warehouse and associated site improvements	12.22.10	01.05.11																		E = Parker Mynchenberg & Assoc O = McNamara Construction, LLC ARC = Stan Hoelle	

* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).

City of Ormond Beach Commercial Development Report - June 7, 2012

#	Project	Description	Appli- cation Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Advisory Board	City Commis- sion	Final Approval	DO Expiration	LDC Extension Expiration	2009 SB Expiration	SB 2156 Expiration	HB 7207 Expiration	Building Permit Info	Building Permit Value	Eng. Permit	Clearing Permit	Under Construct- ion	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
14	NORTH ORCHARD CENTER 150 North Orchard Street 07-1167	New 7,400 SF office (2,000SF), warehouse (10 units) and mini- storage (218 units)	05.14.07	06.06.07	08.29.07	11.14.07	01.02.08		PB 01.10.08 APP (6-0)	CC 03.04.08 Ord 08-09	04.08.08	04.08.10	04.07.11	04.07.13		Site plan 04.07.13 PBD 03.04.15	Not Applied						E = Alann Engineering Group O = Brian Share
15	NOVA BANK 115 North Nova Road 07-1200	1,800 SF Bank	08.29.07	09.12.07	10.24.07	12.05.07			NA	NA	01.08.08	01.09.10	01.09.11	01.09.12		01.19.14	Not Applied		X				E = Alann Engineering Group O = Paul F. Holub, Jr. ARC = BPF Design
16	OLIVE GROVE (LOT 1) 765 W. Granada Boulevard 10-125	Housing complete; commercial lot vacant	07.06.10	07.14.10					08.12.10 Approved	Approved 09.21.10 Ord 10-44	10.14.10	Site plan vested w/ Phase 1											E = Alann Engineering Group O = Beneficial Communities ARC = Forum Architects
17	ORMOND CROSSINGS PMUD 100 Ormond Crossings Boulevard 10-134	Master Development Plan zoning document for Ormond Crossings project (no site plan approval)	08.16.10	09.02.10	11.28.11				Discussion 06.18.12														O = Tomoka Holdings LLC A = Tomoka Holdings LLC
18	ORMOND GRANDE 1255 North US1 10-0000006	New 4,800 SF industrial and 60 townhomes (see residential report)	10.13.09	10.27.09	01.05.10				Not required	Not Required	01.12.10	01.12.12	None	NA	NA	01.12.14	Not Applied						E = Parker Mynchenberg & Assoc O/A = Ormond Grande LLC
19	PRINCE OF PEACE - SOCIAL SERVICE 600 South Nova Road 10-0000007	12,160 square foot new building for Church thrift shop, meeting area, offices, and food pantry	11.03.09	11.17.09 (concept)	12.29.09				04.08.10	05.18.10			05.14.13 (Special Exception)										E - Alann Engineering O = Prince of Peace ARC = DJ Designs
20	RIVERBEND CHURCH EXPANSION 2080 West Granada Boulevard 09-2500008	Site improvements and utility connect in association with expansion in Daytona Beach	09.08.09	09.22.09	01.18.11				NA	NA	07.13.11	Under Constr.											E = Mark Dowst & Associates O = Riverbend Church
21	RIVER GRILLE 950 North Highway US 1 12-02	Addition of site amenities including outdoor fire place, tiki hut seating, and decking	10.11.11	10.26.11							11.07.11	11.07.13					Issued 2.20.12	\$20,000	X	NA	50%		E = Mark Dowst & Associates O = Tomoka Rivergrille of Ormond Beach LLC
22	ROOT COMMERCE PARK 900 North US Highway 1 06-4-1107	New 99,000 SF (49,200 office) and warehouse in 5 buildings on 12.48 acres	04.26.06	05.18.06	08.17.06	10.12.06	12.07.06		PB 11.09.06 A (5-0)	02.20.07- CC Ord 07-07	06.27.08	06.27.10	06.06.11	06.06.13	NA	Zoning 02.20.15 Site Plan 06.06.15	Not Applied						E = Parker Mynchenberg & Associates ARC = BPF Design A = Root Chapman
23	STOR-IT 99 Portland Avenue 11-09	Construction of vehicle storage facility with 87 bays and associated site improvements.	12.07.10	12.21.10	11.15.11				12.08.11	04.03.12 &04.17.12							Approved						E = Zev Cohen & Associates O = Vanacore Commercial Property
24	SUNOCO - CONCEPT 1546 West Granada Boulevard #12-94	Demolish existing structures and construct new convenience store with gas	05.14.12	CONCEPT 05.29.12																			E = England, Thimus & Miller, Inc O = Sunoco, Inc.
25	SUNOCO - CONCEPT 460 South Atlantic Avenue	Demolish existing structures and construct new convenience store with gas	05.22.12	CONCEPT 06.05.12																			E = England, Thimus & Miller, Inc O = Sunoco, Inc.
26	T-MOBILE TOWER 1 South Old Kings Road 10-000096	Construct a 140 foot camouflaged telecommunications tower.	04.06.10	04.20.10	02.16.11				NA	NA	09.27.11	09.27.13					Approved						E = KCI Technologies, Inc. O = Omega 40 Enterprises LTD
27	TOMOKA CHRISTIAN CHURCH 1450 Hand Avenue 07-1201	Proposed New Church - 61,000 SF, 801 seats	08.29.07	09.26.07	11.14.07	02.05.08	03.04.08	04.01.08	Approved 03.27.08 DRB	App 05.06.08 Res. 08-102	06.19.08	06.16.10	06.16.11	05.06.13	NA	S. Except. 05.06.15s ite Plan	Not Applied						E = Zev Cohen & Associates O = Tomoka Christian Church ARC = Hyde West Architects
28	WASTEWATER TREATMENT EXPANSION 550 Orchard Street 10-0000001	Wastewater treatment Expansion	10.06.09	10.20.09	03.02.10				NA	NA	03.10.10	03.10.12 Under Const.	Under Const.	Under Const.			Issued 10.20.11		Issued 10.20.11	Issued 10.20.11	60%		E = Camp Dresser & McKee Inc. O = City of Ormond Beach
29	WAL-MART PARKING MODIFICATIONS 1521 West Granada Boulevard 09-2500007	Modify parking - remove 89 spaces, façade renovations	07.07.09	07.21.09	08.18.09				Approved 09.10.09	App. 11.03.09 Ord 09-37	11.04.09	11.04.11	Not Applied	NA			Issued	\$806,676	X	X	98%		E = Duplantis Group O = Wal-Mart Stores

City of Ormond Beach Residential Development Report -- Ending June 7, 2012

#	Project	Description	Applica-tion Date	1st Review	2nd Review	3rd Review	4th Review	5th Review	Advisory Board	City Commis-sion	Final Approval	DO Expiration	LDC Extension Expiration	2009 SB Expiration	SB 2156 Expiration	HB 7207 Expiration	Building Permit Info	Eng. Permit	Clearing Permit	Under Construc-tion	CO Issued	E or Arc = Project Engineer or Architect O = Owner A = Applicant
A	COURTYARD PBD 135 N. US1 (between Highland and Dix) 07-1243	21,000 Square Feet Retail (9,000 Dollar General) and 16 MF units	01.04.08	02.04.08	12.01.08	02.17.09			04.09.09 PB	06.02 CC Ord 09-17 Expires Ph.2 06.02.12	06.12.09		Not Applied	NA			None for Residential					E = Danny Johns O = Ormond Central Market Place ARC = E.M.P. Architecture & Design
B	DEER CREEK SUBDIVISION 2400 Airport Road 04-08-989	346 Single-Family Lots (4 phases)	08.24.04								08.31.05	Under Const.	Under Const.	Under Const.				Phase 1 Phase 2 Phase 3 Phase 4 (phase 4a completed)	Done Done Done 0%			E = Mark Dowst & Associates O/A = Hunter's Ridge, Inc
C	ENCLAVE AT NORTH POINTE Tymber Creek Road (Parcel # 4113-00-00-0032) 05-06-1041	34 Single-Family Lots	06.29.05	03.02.06	03.23.06	10.12.06	02.21.07	04.11.07		O 06-08 (PRD) R- 04-206 Plat	09.10.07	08.01.09 PRD Zoning	08.01.10	08.01.12 Zoning & 10.09.12 Site Plan	NA	08.01.14 Zoning & 10.09.14 Site Plan	Not Applied					E = Land Plan Engineering Group O = Silverstein & Goldberg Trust A = White Falcon Land & Development
C	ENCLAVE AT NORTH POINTE Tymber Creek Road (Parcel # 4113-00-00-0032) 10-153	34 Single-Family Lots - PRD Amendment Transfer traffic concurrency vesting to Marshside subdivision	10.04.10	10.19.10					Required	Required												E = Land Plan Engineering Group O = Silverstein & Goldberg Trust A = White Falcon Land & Development
D	MARSHSIDE AT GROOVER BRANCH Tymber Creek Rd. & Airport Rd. (Parcel # 4124-00-00-0240) 05-06-1035	68 Single-Family Lots	06.08.05	12.08.05	02.02.06	03.23.06	09.19.07	6.10.08	PB 06.08.06 Deny (3-2)	11.14.06 Ord. 06-09		11.14.09 PRD Rezoning	11.14.10 Zoning	11.14.12 Zoning	NA	11.14.14 Zoning						E = Land Plan Engineering Group O = Enclave of Timber Creek LLC A = White Falcon Land & Development
D	MARSHSIDE AT GROOVER BRANCH Tymber Creek Rd. & Airport Rd. (Parcel # 4124-00-00-0240) 10-152	Amendment & rezoning for Marshside subdivision to increase the number of lots from 68 to 104 units.	10.04.10	10.19.10					Required	Required												E = Land Plan Engineering Group O = Enclave of Timber Creek LLC A = White Falcon Land & Development
E	ORMOND GRANDE 1255 North US1 10-00000006	New 4,800 SF industrial and 60 townhomes	10.13.09	10.27.09	01.05.10				Not required	Not Required	01.12.10	01.12.12		NA	NA	01.12.14						E = Parker Mynchenberg & Assoc O/A = Ormond Grande LLC
F	ORMOND STATION 644 North Nova Road 08-25000039	29 Townhomes	11.06.08	12.02.08	06.09.09	12.22.09	02.23.10 (final)				03.09.10	03.09.12	None	None	09.09.12	09.09.14						E = Harpster Engineering O = Scott Vanacore
G	PINELAND East of I-95, north of Airport Road 08-23000002	Preliminary Plat of 192 Single-Family Lots	11.04.08	11.18.08	02.17.09				PB Approved (4-2)	Approved Ord 08-44		10.21.13 PRD Rezoning		NA	NA	10.21.15 PRD Rezoning						E = Zahn Engineering O = Funcoast Developers
H	RIVER OAKS Airport Road (Parcel # 4124-00-00-0040) 03-10-935	101 Single-Family Lots	06.28.06	07.13.06	01.24.07	08.01.07	09.12.07		10.25.07 DRB (6- 0)	12.18.07 R07-226 (P. Plat)	11.07.07	Under Const.	PRD: 11.08.09 Site Plan 10.08.09	PRD: 11.08.11 Site Plan 10.08.11	NA	PRD: 11.08.13 Site Plan 10.08.13	Subdivision Imp. Value: \$1,256,900	05.12.1 0	05.12.10	50%		E = Harpster Engineering O/A = Vanacore Homes
I	TOMOKA GOLF VILLAGE 20 Tomoka Oaks Blvd. 05-06-1039	122 Townhomes & 3 Single-Family Lots	06.15.05	09.29.05	05.03.06	07.27.06			08.10.06	10.17.06 O 06-17		10.17.08 PRD Rezoning	1st Ext: 10.17.09 2nd Ext: 10.17.10	10.17.12	NA	10.17.14						E/A = CPH Engineers, Inc. O = Tomoka Oaks Golf/Country Club

* Highlighted projects indicate change in status (such as SPRC approval, CC approval, building permits issued, or CO issued).